

709 /

L E T T E R S

To the Right Honourable

THE EARL OF HILLSBOROUGH,

FROM

GOVERNOR BERNARD,

GENERAL GAGE,

AND

The Honourable His MAJESTY'S Council

FOR THE PROVINCE OF

MASSACHUSETTS-BAY.

WITH

AN APPENDIX,

CONTAINING

Divers Proceedings referred to in the said LETTERS.

B O S T O N : *New-England.*

Printed by EDES and GILL, Printers to the Honourable
House of Representatives, 1769; and,

L O N D O N :

Re-printed for J. ALMON, opposite Burlington-House
in Piccadilly.



L E T T E R S, &c.

Copy of a Letter from Governor *Bernard* to the Earl of *Hilsborough*, dated *Boston*, Nov. 1, 1768.

MY LORD,

I NOW proceed to conclude my narrative of my endeavours to get quarters for the King's troops until I found myself at the end of my string, and could do nothing more.

On Saturday, October 15, General Gage arrived here with his officers to look to the quartering the Troops himself. On Monday I called a Council in the morning, and introduced the General. He told them that he was resolved to quarter the two regiments now here, in town, and demanded quarters; and that he should reserve the Barracks at the Castle for the Irish regiments or such part of them as they would contain; which

B

has

has since been determined to be only one regiment. After the General had left the Board, I sat at it until eight o'clock at night; two hours after dinner time excepted. The whole was a scene of perversion, to avoid their doing any thing towards quartering the troops, unworthy of such a body. In the course of the questions I put to them, they denied that they knew of any building belonging to the province in the town of Boston that was proper to be fitted up for barracks; and they denied that the Manufactory House was such a building. This was so notoriously contrary to truth, that some gentlemen expressed their concern that it should remain upon the minutes; and to induce me to consent to its being expunged, a motion was made in writing that the Governor be desired to order the Manufactory House to be cleared of its present inhabitants, that it might be fitted up for the reception of such part of the two Irish regiments as could not be accommodated at the Castle Barracks. This was violently opposed, but was carried in the affirmative 6 to 5: Upon this I ordered the former answers to be expunged. This Resolution amounting to an assignment of the Castle Barracks for the Irish regiments, effectually put an end to the objection before made that no quarters were due in town until the Castle Barracks were filled.

The next thing to be done was to clear the Manufactory-House, the preventing of which was

was a great object of the Sons of Liberty. For this purpose, about six or seven weeks before, when the report of troops coming here was first confirmed, all kinds of people were thrust into this building; and the Workhouse itself was opened, and the people confined there were permitted to go into the Manufactory-House. This was admitted to be true in Council by one of the Board who is an Overseer of the Poor and a Principal therein. And after the Order of Council was known, several of the Chiefs of the Faction went into the Manufactory-House, advised the people there to keep possession against the Governor's order, and promised them support. And when some of them signified their intention to quit the house, they were told that if they quit the house they must quit the town, for they would be killed if they staid in it.

I had the advice of the best Lawyers that according to the law and usage of this country, the owners of an house occupied by tenants at sufferance, or wrongful possessors, might enter by any means they could and turn them out of possession without bringing an action. It was also certain that the Governor and Council, when the Assembly was not sitting, were perfect owners of the estates belonging to the province, except for alienation. Upon these two principles I appointed the sheriff and two of his deputies bailiffs of the Governor and Council for the purpose of re-

moving the people out of the Manufactory-House. The sheriff was refused admittance; upon which the Chief Justice went with him and advised them to give up the house; he was answered that they had the opinion of the best Lawyer in the province to keep possession. Upon a third attempt the sheriff finding a window open, entered; upon which the people gathered about him and shut him up; he then made a signal to an officer without, who brought a party of soldiers, who took possession of the yard of the building and relieved the sheriff from his confinement. —This occasioned a great mob to assemble with some of the chiefs of the faction; they were very abusive against the soldiers, but no mischief was done. They kept the house blockaded all that day, and best part of the next day. When some of the Council declaring that it was not intended to use force, although they knew it could not be done without, and the building not being immediately wanted, the soldiers were withdrawn on the evening of the second day. Thus the building belonging to the Government, and assigned by the Governor and Council for his Majesty's use, is kept filled with the outcast of the workhouse and the scum of the town to prevent its being used for the accommodation of the King's troops. After this was over there was nothing more to be done with the Council until the soldiers were billeted in the public houses as far as they would go.

This

This we knew would never be done ; but it must be attempted ; and the Council left this business to me alone without offering their assistance, which in other cases has been usual. Indeed I did not ask them, as I did not think the business would be forwarded by my associating them. I therefore summoned all the acting justices to meet me in the Council. Twelve of them appeared ; I acquainted them that the General demanded quarters for the two regiments, according to the act of Parliament. They desired to take it into consideration among themselves. I consented, and we parted. Two justices, two days after this, attended me with an answer in writing, whereby the whole body refused to billet the soldiers. But these gentlemen informing me that the justices had been much influenced by the argument that the barracks at the Castle ought to have been first filled, &c. I shewed them the minutes of the Council whereby the barracks at the Castle were assigned to the Irish regiments, and they must be considered as full. This was quite new to them, the Council themselves having overlooked the effect of their vote. I gave them a copy of this vote, and returned the answer, desiring them to reconsider it. Three days after the same gentlemen informed me that they had resolved against billeting the soldiers, but could not agree upon the reasons to be assigned for refusing it ; but the next day they gave me an answer in writing, (a copy of which is here inclosed)

inclosed) signed by eight of the justices ; two others were against billeting, and gave other reasons for their refusal ; two others were for billeting, but declined acting by themselves after so large a majority of the whole body had declared for the contrary opinion.

To shew the futility of these pretences, I must observe that the act directs the billeting to be by constables, tything-men, magistrates, and other civil officers, and in their default or absence by any one justice of the peace. The usual construction of this act has been that magistrates should grant the billets, and constables deliver them ; and the latter being ministerial cannot grant billets without a magistrate or justice ordering them ; by magistrates have been always understood the magistrates of corporations, and where a town is not a corporation, the justices are the only magistrates who are applied to in England, and they deliver the billets to the constables, who serve them upon the public houses. Now in this town of Boston there are no persons who come under the denominations but justices and constables. As to the select-men to whom the justices are supposed to refer, they have been declared by themselves, by the Council, and by the Governor, to be neither magistrates, nor civil officers ; and they certainly are not, for they can neither grant nor execute a warrant. This I explained fully to the justices before they gave their final answer ; but to no purpose ; they being determined

determined to refuse at all events. Thus we have an act of Parliament which is become a great favourite ; for with the comments it has received here, it is become in fact an act to prevent his Majesty's troops being quartered in the town of Boston. Immediately after I held a Council, and informed the Board of the refusal of the justices to billet the soldiers. I said that I was now at the end of my tether ; for as they had declared before, that they would adhere to the act of Parliament, and had refused to act in that liberal way which I thought was their duty when the King's necessary service was obstructed, I could propose nothing further to them. For I foresaw that if I proposed to hire and fit up houses, &c. for the troops, they would answer that it did not become their business till the public houses were full. But if any gentleman thought it was to any purpose to put such a question, I was ready to do it : this was declined by silence. I then informed them that by reason of this general refusal of quarters, the General found himself obliged to hire and fit up houses at the expence of the Crown for the reception of the troops, who now (Oct. 26.) especially they who were encamped, began to feel the want of warm quarters, and as he thought the expence would ultimately fall upon the province, he desired that I would appoint a commissary to join with and assist his officers in providing such houses, especially with regard to the œconomy of the expence.

I therefore

I therefore desired their advice and assistance in making such appointment. This, after a long debate, was refused, they saying that if they should join in such appointment, it would be admitting that the province ought to be charged with the expence ; and I could appoint auditors to examine the accounts without them. I therefore put an end to this business, having been employed in it from Sept. 19th to Oct. 26th, in all 38 days, without any prospect of doing any thing to purpose, but under an obligation of trying every effort before I gave it up.

During this time the General, who foresaw how this negotiation would end, had employed his officers to hire and fit up houses for the troops ; so that by the time I had received the definitive refusal, compleat quarters were provided for all the troops. But now another difficulty arose ; if the soldiers should be put into barracks, though provided by the Crown, without the intervention of a magistrate, the military officers who placed them there, would be chargeable with taking upon them to quarter soldiers otherwise than by this act, and being convicted of it by two justices of peace would be cashiered ipso facto. This clause was depended upon to oblige the soldiers to quit the town after they had found it impracticable to get quarters according to the act of Parliament, and was part of the original plan which I mentioned to your Lordship very early. And it could not be expected that

that the justices who had refused to billet the soldiers would place them in other quarters; for that would be to contradict themselves. I therefore took upon myself to remove that difficulty, and by a commission, wherein I received his Majesty's command to me to take every necessary step for the accommodation of the said troops, and the several means by which the execution of the act for providing quarters for the troops was defeated, and the obligation I was thereby put under to provide quarters for the troops in the best manner I could, I authorized a person therein named, to place the said two regiments in such buildings and houses as could be procured at the expence of the Crown with the consent of the owners. Thus has ended the business of quartering the two regiments.—As for provision for them at Boston, according to the act of parliament, I have already shewn how the order of Council for that purpose was annulled and avoided in the origination of it. Provision has been made at Castle William by an order of Council being made, that the provincial commissary should take care of it. But they have refused to make such an order for the troops at Boston; and therefore it is not done nor like to be done.

I am, with great respect, my Lord, your
 Lordship's most obedient, and most humble
 servant,

FRA. BERNARD.

The Right Honourable }
 The Earl of Hillsborough. }

January 27, 1769.

C

Copy

*Copy of a Letter from Governor Bernard to
the Earl of Hillsborough, dated Boston,
November 5, 1768.*

My LORD,

WHEN I received your Lordship's letter, No. 16, I immediately communicated it to the Lieutenant Governor; and we both agreed in opinion, that it could not be advisable to lay before the Council any part of it, except what related to the providing for the troops, until the troops were got into quarters: as we foresaw that the business of quartering the troops would occasion a good deal of trouble, and possibly some commotion, and it would not be adviseable to bring on too much business at once; at least until the town was a little settled. This business of quartering, your Lordship will observe, kept me employed 'till October 26th, on which day I had summoned a general Council. On this day I had nineteen councellors, that is all but three: I therefore chose this time to communicate the other part of your Lordship's letter, except what relates to the calling the assembly, which I had reserved untill I had received further orders about it. I made this communication by an extract, which after it was read I left in the Secretary's hands, that the gentlemen might peruse it at their leisure:

I cau-

I cautioned the Secretary against suffering a copy to be taken, but did not restrain him from permitting it being read. I also gave another copy of the same extract to the first Commissioner of the Customs, engaging him to keep it in his own hands, and not let a copy be taken.

Immediately after I had an occasion to move a matter that would shew their disposition to pay a proper regard to his Majesty's commands. The Commissioners had wrote to me, desiring that I would take the advice of Council whether they might return to town, and reassume their functions, with safety to themselves and officers. I communicated this letter to the Council, and put the question to them. This was very embarrassing: If they answered Yea, they would be chargeable with advising the return of the Commissioners: If they said No, they would contradict all their assertions, that there was no occasion for troops to support the civil power. They therefore, for above two hours together, used all kinds of evasions to avoid giving an answer. I was told that they were not obliged to give opinions: I answered, that they were obliged to give advice; and the question was put, whether they would advise me to assure the Commissioners that they might return with safety. At last I was obliged to tell them, that if they would not give me an answer, I would take their refusal for an answer in the negative: for if

they could answer in the affirmative, no reason could be supposed why they should not give an answer; and if they could not answer in the affirmative, they must reconcile it with their public declarations of the loyalty and peaceableness of the town as well as they could. At length I got an answer, twelve answering in the affirmative, five declining answering because they lived out of town, and two giving written answers, condemning the commissioners for going out of the town, and therefore refusing advice about their return, but concluding that all persons would be safe. In this council I sat from eleven to nine, two intermediate hours excepted; and all the business might have been very well done in an hour or two by practicable men.

Before this Council met, I had been informed that some of the Board had been preparing an address to the General, to remove the troops from hence, that at this meeting they might get a great number of hands to it. When the Council broke up, I heard some of them making an appointment to meet there the next morning. I told them that I understood that they were going on with business as a Council separately from me; but I cautioned them against proceeding. It was answered that they should not act as a Council but as private gentlemen. I then desired that they would not give their meetings the appearance of a Council, by holding them in the Council Chamber. They met the next day

day and settled the address, which was very much softened from the first draught, which I am told was much more virulent against the commissioners. It was signed by fifteen of the Council, among whom were the five who knew not enough of the town to vote for the safety of the commissioners returning, but knew enough to join in an invective against them; four refused to sign. It was then presented to the General, who observed to them, that the resolves of the Town-meeting were a sufficient cause for sending troops here, though there had been no riots: It was answered that they were the productions of a few imprudent wrong-headed men. The General replied, that they were said to be *unanimously* resolved, in a *full* Town-meeting. The next Monday it appeared in all the public papers, from whence I send your Lordship the inclosed copy.

I shall make but few observations on the writing, the intent of it being plain enough, ---1. It is well known to your Lordship that this kind of writings is designed for the people, and not for the persons to whom they are addressed. This is notorious in the present case: the gentlemen who moved this business knew very well that the General could not move the troops from this town, if he could have been disposed to do it; because they were sent hither by order of his Majesty, and not placed here by the discretion of the General. The General himself had told them
so,

so, and I had repeated it to them again and again to induce them to assist the quartering. As therefore they could not expect the troops would be withdrawn, we must look for another purpose of this address; and it appears to be, as indeed it is, the principal subject of it, the abuse of the commissioners.--- 2. This was surely very ill timed: the very day after they had been made acquainted with his Majesty's command and expectation that the commissioners should return to Boston and resume their function, and would return without resistance and with safety, to publish a manifesto against them, which as it had nothing new in it, could only serve to revive the popular prejudices against them, and thereby encourage resistance, and make their safety precarious, is unaccountable in men of this rank, and inconsistent with their public professions of their regard for the King's service. ---3. This is also very unreasonable, it being the day after the commissioners had signified their apprehensions of danger in returning to Boston, and desired the advice of the Council concerning it, and the Council had given their opinion, that they might return with safety. For these Councillors, who had one day encouraged their coming to town, the very next day to issue a writing under their hands, holding them forth to the people "as men whose avarice having smothered in their breasts every sentiment of humanity towards this province, has impelled them to oppress it to the utmost
of

of their power," is utterly irreconcilable with my ideas of truth, justice and humanity, and shocks me the more, as I know that the wives of two of the commissioners, who have young children, did not want to have their fears increased by this publication.

It would have been unaccountable how so many persons of so respectable a station, and many of them of a respectable character, could join in signing such a paper, if we did not consider that in public and popular proceedings the leaders are few, and the followers many; and that people called upon to sign papers frequently act without consideration, and sometimes against their judgment. And the virulence with which the commissioners have been treated, seems to be too violent to be the effect of public zeal only, without the interference of private animosity, which, at present, I cannot take upon me to account for, I can only condemn and lament such proceedings in a body for which I have always had and still retain a great regard.

I am, with great respect, my Lord, your Lordship's most obedient, and most humble servant,

FRA. BERNARD.

The Right Honourable }
The Earl of Hillsborough. }

January 27, 1769.

Copy

*Copy of a Letter from Governor Bernard to
the Earl of Hillsborough, dated Boston,
November 12, 1768.*

MY LORD,

AFTER I had communicated your Lordship's letter to the Council, I considered that some farther notification of it would be necessary in regard to what related to the preservation of the peace and the protection of the officers of the revenue, especially as the commissioners had fixed upon this week for their return to Boston. A proclamation was not thought proper, as the business was in a manner confined to the town of Boston. I therefore thought of a letter from myself to the justices of Boston, and accordingly drew one up, wherein I recited such part of your Lordship's letter as related to them, and their business, and thereto added injunctions and admonitions of my own. I communicated this to the Council last Wednesday, proposing, if it had their approbation, to call the justices together, and deliver it to them by word of mouth, and then give them copies of it. But though no exceptions were taken to particulars, the whole was objected to strongly for this reason; that if they were to consent to this letter they should appear to approve of the censures your Lordship has

has passed upon the town, which they would not admit it had deserved. I told them that I would not enter into an argument which might tend to impeach the truth or justice of your Lordship's letter, but I observed, that both of them were very defensible, being founded upon notorious facts, which could not be denied or doubted.

I then proposed another method of informing the justices ; which was to call the justices together, and after reading such part of your Lordship's letter as related to their business, to give them a general admonition concerning their future conduct. This was objected to, for that an admonition implied a censure. This I answered by shewing, that they did really deserve censure, and by declaring that I would use them tenderly in that respect. But I found that I should never prevail with the Council to *act* in this business: that they would not *advise* to any method of notifying, enjoining or enforcing the orders contained in your Lordship's letter ; and that I could make nothing of them but *passive* associates. I proposed, therefore, that they should meet in the Council the next morning, and I would of my own accord, and without their advice, order the justices to attend, and would admonish them as I had before proposed. This was at length assented to ; though not without one gentleman's protesting against it. I accordingly the next day assembled the justices, and, in the presence of the Council,

D

having

having caused an extract of your Lordship's letter to be read, I entered into a full explanation of the nature of their office, and their duty therein; and avoiding as much as I could censuring them for their former conduct, I shewed what would be expected of them for the future; and I concluded, that if they had a mind to retrieve the credit of the town, it was not to be done by denying what was past, but by regulating what was to come: As soon as I had done, a gentleman of the Council said aloud he liked this very well; and the justices seemed satisfied with this proceeding; and several of them gave assurances that they would do the best to preserve the good order of the town.

These two conferences with the Council passed with good humour; and in the course of them I had an opportunity to observe upon and lament the servility, in regard to the people, with which the business of Council was now done, in comparison to what it used to be. This was not denied; and one gentleman said, that he did not now enter the Council Chamber with that free mind he used to have; but he liked to be concerned in public business, and did not chuse to quit his place in the Council, and therefore must be content to hold it upon such terms as he could. So fair a concession deserves not to be passed unnoticed. But I should not trouble your Lordship with such trifling anecdotes, if they did not seem to me to be the best method to convey

convey a true idea of the present state of this government, and to point out the chief causes of its decease, and I must myself resort to the cause I am now treating of, to shew why I have not executed the King's commands in as full a manner as may be expected from me. But, my Lord, the Council themselves have, for above four months past, taken great pains to shew from whence the imbecility of this government arises; and have brought more forcible arguments, than any one else could have urged, to shew how necessary it is become that the King should have the Council Chamber in his own hands. How this can be done may be a question, the exigency of it is none.

I am, with great respect, my Lord, your Lordship's most obedient, and most humble servant,
FRA. BERNARD.

The Right Honourable }
The Earl of Hillsborough. }

January 27, 1769.

Governor Bernard's Letter to the Earl of Hillsborough, dated Boston, November 14, 1768.

MY LORD,

I Come now to consider that part of my orders which relates to the reforming the Bench of justices: This is to be done by two ways, first, by adding new justices to the

D 2

present

having caused an extract of your Lordship's letter to be read, I entered into a full explanation of the nature of their office, and their duty therein; and avoiding as much as I could censuring them for their former conduct, I shewed what would be expected of them for the future; and I concluded, that if they had a mind to retrieve the credit of the town, it was not to be done by denying what was past, but by regulating what was to come: As soon as I had done, a gentleman of the Council said aloud he liked this very well; and the justices seemed satisfied with this proceeding; and several of them gave assurances that they would do the best to preserve the good order of the town.

These two conferences with the Council passed with good humour; and in the course of them I had an opportunity to observe upon and lament the servility, in regard to the people, with which the business of Council was now done, in comparison to what it used to be. This was not denied; and one gentleman said, that he did not now enter the Council Chamber with that free mind he used to have; but he liked to be concerned in public business, and did not chuse to quit his place in the Council, and therefore must be content to hold it upon such terms as he could. So fair a concession deserves not to be passed unnoticed. But I should not trouble your Lordship with such trifling anecdotes, if they did not seem to me to be the best method to convey

convey a true idea of the present state of this government, and to point out the chief causes of its decease, and I must myself resort to the cause I am now treating of, to shew why I have not executed the King's commands in as full a manner as may be expected from me. But, my Lord, the Council themselves have, for above four months past, taken great pains to shew from whence the imbecility of this government arises; and have brought more forcible arguments, than any one else could have urged, to shew how necessary it is become that the King should have the Council Chamber in his own hands. How this can be done may be a question, the exigency of it is none.

I am, with great respect, my Lord, your Lordship's most obedient, and most humble servant,

FRA. BERNARD.

The Right Honourable }
The Earl of Hillsborough. }

January 27, 1769.

Governor Bernard's Letter to the Earl of Hillsborough, dated Boston, November 14, 1768.

MY LORD,

I Come now to consider that part of my orders which relates to the reforming the Bench of justices: This is to be done by two ways, first, by adding new justices to the

D 2

present

present Bench, either by engaging gentlemen who are already in the commission to qualify themselves, or by granting new commissions to fit persons who will undertake to act; secondly, by removing such persons in the commission who are known to be infected with principles of disaffection to the constitutional authority of Parliament. The first of these is practicable in both its branches; the second is at present absolutely impracticable, and will remain so while the Council make the humouring the people their chief object.

In regard to the first I have already made some attempts to engage some gentlemen now in the commission to qualify themselves, and shall pursue it: And notwithstanding the undertaking is very discouraging, I expect I shall have some success. I have also made an essay to appoint new justices who would engage to act, by naming one very fit person. It was received very coolly by the Council, and upon my asking the reason, I was told he was not popular; I replied that if he had been I should not have named him. As he was allowed to be in every other respect a most unexceptionable man, it passed unanimously: but it gave me to know what I must expect if I proposed a man *who was not popular* against whom any exception could be taken. But I shall try soon again.

As for removing persons for their opposition to the authority of Parliament by means
of

of a Council, the majority of which has (indirectly at least) avowed the same principles, and now appears to act in concert with that party from whence the opposition to Parliament originated, it would be an attempt contrary to all rules of policy and prudence. It would require to be done by a public enquiry, which would receive all the obstruction and embarrassment which the chicanery of law could invent ; and, if after all, full proof of disaffection to the authority of Parliament should be made, it would be declared not to be relevant to infer such a censure. It would be therefore in vain to attempt to punish disaffection to the authority of Parliament, until the criminality is better established than it is at present. To support this conjecture in what manner the Council would act in such a proceeding, I need only refer your Lordship to their conduct and the papers they have published within these two months last past.

And yet, my Lord, I would not insinuate that we have no fit objects for such a censure; the Sons of Liberty have not been without magistrates. We have seen justices attending at Liberty Tree ; one to administer an oath to the Stamp-Master, when he was obliged to swear that he would not execute his office; another to perform the function of toast-master; a third, but lately, to consult about fortifying the town; others to make up a procession of 45 carriages and 92 persons on the 14th of August last. All these are included

cluded in two lists which your Lordship has, that of the five selectmen who signed the circular letter for the convention, of which all but the first are in the commission, and that of the eight justices who signed the refusal to billet the soldiers. Now if the censure of these proceedings should produce an order to me, to supersede the commissions of these gentlemen, it would be a trial of the power of the Governor: It seems at present, that the Council would not enable me to execute such an order.

It is a great defect in this government, that the King has no power over the commissions, which are granted in his name and under his seal. He can by order in Council disallow a law which has passed by the Governor, Council, and House of Representatives: but yet he cannot supersede a commission which has been granted by the Governor and Council. And yet the Council of this province is as much out of the controul of the King as the House of Representatives is. Wherefore it seems as reasonable that the King should be allowed to correct the mistakes of the Governor and Council, as of the Governor, Council, and House. As it is, when the Governor has once set the King's seal to a commission, it is for ever out of the hands of the crown, and the person who has obtained it may thenceforth defy the King, oppose his laws, and insult his government, and be in no danger of losing his commission. It is true,

true, the Governor, with the advice of Council, can supersede him; but if he acts in a popular cause, under which opposition to government finds it easy to shelter itself, the Council, who are themselves the creatures of the people, will never join with the Governor in censuring *the overflowings of liberty*. It may be said, that the Governor should take care not to appoint any one whose character is not well known. But the Governor does not personally know half of those whom he appoints to offices: it is not therefore in his power to guard against imposition, let him be ever so cautious. Besides, a man's political character often does not appear till he is got into an office, and thereby held forth to the publick: Hence it is not unusual for a person, who has distinguished himself in political matters, to get himself recommended to the Governor, as a man well disposed to government; and as soon as he has received his commission, to declare for the party of the sons of liberty. The Governor may resent the imposition as he pleases; but cannot undo what he has done. Thus the commissions of the King, like his cannon upon another occasion, are turned against him.

It would serve to remedy this abuse, and strengthen government, if the King was enabled, by order in his Privy Council, to supersede commissions granted in his name and under his seal, when they shall appear to be granted to improper persons, or made use of
for

for improper purposes. This must be done by act of parliament; and I don't see the impropriety of such an act; it seems to me to be a proper power to be vested in the crown; especially at a time when the crown wants to be strengthened by all legal means in this country. And it seems that it would be better to be done by a general act than a partial one; for such a power may be wanted in the royal governments, notwithstanding the controul the King has over the Councils. For it is very possible, considering the spirit which now prevails, that even a Royal Council may support a popular magistrate against the interest of the crown. And if the Colonies should prevail to have the judges commissions during good behaviour, which some of them are now very earnest about, it might be proper that the King in Council should be empowered to judge and determine upon such misbehaviour as would void the commission.

But this will not be necessary, if the general instructions of granting no commissions but during pleasure be continued and observed; nor will it be necessary that such an act should be general; it is more wanted in this government than in all the others together: and even here the defect would be cured by a Royal Council.

I am, with great respect, my Lord, your Lordship's most obedient, and most humble servant,

FRA. BERNARD.

The Right Honourable }
The Earl of Hillsborough. }

January 27, 1769.

*Copy of a Letter from Governor Bernard to
the Earl of Hillsborough, dated Boston,
November 30, 1768.*

Boston, Nov. 30, 1768.

MY LORD,

I THINK it proper to inform your Lordship that I communicated to the Council that part of your Lordship's letter, No. 19, in which your Lordship signified his Majesty's gracious reception of the Petition of the Council, which I transmitted in July last, and added, that the Petition with my reasoning in support of it would have full consideration.

Upon which Mr. Bowdoin, who has all along taken the lead of the Council in their late extraordinary proceedings, charged me with having misrepresented the purpose of their petition, by taking advantage of an expression of theirs, "drawing a revenue from colonies," and therefrom insinuating that their objection lay not so much against the raising money, as the carrying it out of the country and not expending it here. And to justify this, he quoted a transitory conversation he had with me on the day of the public commencement at the College in July last. I told him that if the conversation had made such an impression upon him, it was a pity he had not mentioned it before, whilst my
E memory

memory could interpose in my behalf. That at this distance of time, five months, I could not recollect every trifling conversation ; for such I was assured this was from his report of it. But I could be certain whether I had or had not misrepresented their petition by inspecting my own books. And before I looked at them I could declare that I had not.

My letter books were at my country house, where I generally write all my letters. As soon as I got at them, I had the letter in question, No. 11, July 16, copied : and as soon as I returned to town, I read that part of it which related to this business to three or four of the Council ; and I let two of them, and the Secretary, read the whole letter : they were greatly surprised to find it so very clear of Mr. Bowdoin's charge ; at the next Council I produced the letter and read the whole passage referred to : from whence it appeared that in mentioning the prayer of their petition, I used their own words without adding a single word of my own ; and also that the argument I used in behalf of the prayer went against taxation in general, more than the disposal of the money : This appeared satisfactory to the whole Council except Mr. Bowdoin. But he still persisting in justifying himself, mentioned something more of the conversation referred to, which explained the whole, and shewed that what I said upon that occasion was in joke. This was confirmed by
a coun-

a councillor, who recollected that on that day, being a day of festivity, I did joke with some of them upon their petition, to the same purpose as Mr. Bowdoin quoted, but in terms that one could not have imagined could have been taken seriously, and really were quite inoffensive to every one else.

This is a very trifling matter to trouble your Lordship with: but it has already been the subject of debates in Council, and libels in the news papers. It would have also produced a formal remonstrance to your Lordship, which I am told was actually prepared by the gentleman who made the charge, if it had not been prevented by my making communications, which, but for saving trouble to your Lordship, I would not have submitted to. But it will vent itself in another and more public way; of which I shall be able to give your Lordship an account in a few days. Your Lordship may depend upon it that my informations have been and shall be dictated by the spirit of truth and candour: but I cannot make facts other than they are, nor can I excuse myself communicating such observations and reflections as occur to me, and appear to be material to the subject.

I am, with great respect, my Lord, your Lordship's most obedient, and most humble servant,

FRA. BERNARD.

The Right Honourable }
The Earl of Hillsborough. }

January 27, 1769.

*Copy of a Letter from Governor Bernard to
the Earl of Hillsborough, dated Boston,
December 5, 1768.*

My LORD,

Boston, Dec. 5, 1768.

THE Council have been for a week past preparing petitions to the two Houses of Parliament against the American acts of revenue, that is, as I understand, against all the acts imposing port duties. They signified their intention to me, and desired that I would either join with them or authorise their sitting for that purpose. I reminded them that I had refused to be concerned in this business in July last, and the impropriety of this measure was much stronger now than then. I added, that if they would be advised by me, they would not pursue this intention; which could do no good, and might turn to evil; that if the Parliament was disposed to indulge the Americans in another repeal, there were petitions enough before them to ground it upon; and their petition at best would be but a makeweight; on the other hand it might contain something that might give offence, and add to the ill humour which I feared already prevailed against this province. But all this and more had no effect: the movers of this business called the Council together

ther separately from the Governor in the Council Chamber, according to the new method, for which they apologized in the petition. After several days meeting the petition was settled and approved : Upon which there was a dispute how it should be signed, whether by every one as private persons, as in the address to General Gage, or by the President in the name of the body ; in which latter case they must be understood to act as the legislative Council, there being no President of the Privy Council but the Governor. However it was resolved it should be signed in the latter way. As soon as I learned it was finished I sent for Mr. Danforth the President, and desired to see it : he went and procured it for me. I found it was signed “ in the name and by the order of a majority of the Council S. Danforth.” Mr. Danforth said he was not present when this manner of signing was resolved upon ; and when he sat his name to it, he did not set the word “ President ” after his name : this was a poor excuse, but serves to show how little free-agency there is in a business of this kind. He also added that if he could get the Council to meet again, he was in hopes they would undo this business ; for several of them had signified their disapprobation of it. But I had no such expectation ; for the Council is brought under such an awe of their constituents by the frequent removals of the friends of government, that
there

there is very little exercise for private judgment in popular questions.

If by the majority of the Council, in whose name the President is to sign, they mean a majority of the whole Board, I cannot conceive that all the persons who met at the several meetings upon this occasion, put together, amount to the number twelve, which is the majority of the whole. But if they mean a majority of those present when the resolution was formed, it may fall very short of the majority of the body : four persons will make a majority of a quorum of the Council. In the present case I doubt whether the number of those who really approved of this measure was much more : for it seemed to be rather submitted to than joined in. As for the petition itself, it is very lengthy, being six folio pages, but has nothing new in it, nothing I believe, but what is to be found among the writings of the House of Representatives. It differs from the petition to the King in this : the latter carefully avoids all claim of right against the Parliament ; this is not so clear of it : it has indeed no positive assertions of right, but several intimations of it too plain to be unnoticed. This account is taken from only once reading it, and therefore may not be free from mistakes, though I believe it is right as to the general idea.

I am, with great respect, my Lord, your
 Lordship's most obedient, and most humble
 servant,

FRA. BERNARD.

P. S. Since

P. S. Since I wrote the foregoing I have got a list of the gentlemen who passed upon the petition, Mr. Danforth, Royal, Erving, Bowdoin, Hubbard, Tyler, Pitts, Dexter. Upon November the 30th they agreed upon the petition to the Lords and Commons to be signed by Mr. Danforth, as President. Of these eight I have been informed of two who wanted to have it undone, and I can fix upon another who, I dare say, acquiesced rather than concurred.

The Right Honourable }
The Earl of Hillsborough. }

January 27, 1769.

Copy of a Letter from General GAGE to the Earl of Hillsborough, dated Boston, October 31, 1768.

MY LORD,

IN my last from New-York, I had the honour to acquaint your Lordship of my intention to go to Boston; I arrived here on the 12th instant; and though Lieutenant Colonel Dalrymple had done every thing in his power previous to my arrival to procure quarters for the two regiments from Halifax, I found one of those regiments encamped, and the other lodged in the Market-Hall.

I immediately made application in person to the Governor in Council, that the troops might have quarters in the public houses, as
far

far as they could be accommodated therein, and that orders might be given for that purpose to the inferior magistrates : and that out-houses, &c. might be prepared for the remainder ; to which I begged a decisive answer, that I might fall upon measures to put the troops under cover, as the winter approached.

I soon found that the Council had put a construction upon the mutiny-act for North-America, which rendered it of no effect for the purposes of marching and quartering the troops, viz. “ That whatever place in a province the King’s troops should be ordered to, they could not be quartered in that place till all the barracks in the province, however distant from it, were first filled with troops ;” from thence the Council inferred, that no quarters could be had in the town, till the barracks in Castle-Island were filled ; and further, that the business of quartering did not come properly before them, but in the last instance, when not only the barracks in question, but also the public houses should be filled with troops, which belonged to the magistrates to do, and was an affair that did not belong to them : It was in vain to set forth that the barracks in Castle-Island would be occupied by the troops expected from Ireland, or to urge the absurdity of a construction of the Act of Parliament, which annihilated the act ; as it absolutely impeded the march of the troops through
the

the province, as well as the King's right to order his troops to any town or village where his service might require them to be ordered to.

The next step to be taken was to make application to the magistrates, to quarter the troops in the public houses ; and a question arose, who were the magistrates ? The selectmen refused being concerned, and declared they were not magistrates, which was agreed to ; and it then became necessary to apply to the justices of the peace, the difficulty then was, to find any of the justices who would act in the business of billeting, and some of them were to be tried, who gave assurances of their readiness to carry on the King's service, but said it was hard that they only should be pitched upon for such an undertaking, and to become the objects of public odium, when there were so many more justices in the town, to take their share of it. This produced a resolution to assemble all the justices of the town, and I attended Governor Bernard to their meeting, where he required it of them conjunctly, and of each separately, to billet the troops in the public houses, according to the act of Parliament : they desired time to consider of a measure which they said must be very disagreeable to the people, and might be attended with bad consequences. After some days consideration, they returned for answer, that the act did not require them to quarter troops, or words to that effect.

I relate the above transactions to your Lordship, in a summary way, leaving it to Governor Bernard to transmit to your Lordship, the particular resolves of his Council at their several meetings on the subject of providing quarters, as well as a copy of the resolution of the justices upon the same subject.

There was no disappointment in the bad success of these several applications; it was known before hand that they would have no effect; but it was proper to try, to get the laws enforced. Governor Bernard therefore agreed in the necessity of making preparations to put the troops under cover, by hiring of empty houses, or other buildings proper for the purpose; and that a particular account should be kept of the expence incurred therein, as also of all necessaries required in quartering, that the Governor may require a reimbursement of the same from the first assembly that shall be summoned to meet. But as it may be uncertain where the expence will fall in the end, I have endeavoured to have every thing prepared, with as much frugality as possible, and the King's barrack master is ordered to repair here from Halifax, with all the spare bedding and utensils in those stores, and a large quantity of coals, carried thither by the troops from Louisbourg.

The Council, after some time, gave Governor Bernard a power over the barracks at Castle Island, as well as over a public building in the town, called the Manufactory House.

House. The barracks are said to have been built to hold one thousand men; but I find they were only temporary lodgments for soldiers during the last war, before they embarked, and the short time they staid made it immaterial whether they were crowded or not. I find, upon examination, they will not hold above one regiment, upon the present establishment, and that by putting twelve men in a room of 18 feet square. As for the Manufactory House, there are people in it, who have been spirited up to maintain possession; and some measures were taken, tho' without effect, to remove them, which occasioned a little disturbance of no consequence; and only served to show a most obstinate spirit of opposition to every measure of government. When the regiments arrive from Ireland, one of them will be quartered in the barracks in Castle Island, and the other must be lodged in the town, in the same manner as the two regiments from Halifax.

Castle William remains garrisoned by the company kept up by the province; and I find there is a provincial military establishment supported there, under the command of the Governor, of some use and emolument to him and the Lieutenant Governor; upon that account, and not seeing any absolute necessity for it, I have not interfered in any matters concerning the Fort, or insisted on putting a garrison of the King's troops into it. But if the King should incline to make any

alteration in the disposition of his forces, by stationing one or two regiments in this province for the time to come, his Majesty may think it right to put Castle William into the possession of his own troops; but as in that case, I apprehend, the province would grant no funds to maintain it, the expence thereof would fall upon the crown. The Fort may be made to contain two or three companies of foot, and a detachment of the royal regiment of artillery; but as for the barracks near it, situated on a small island, where there is not room for troops to move, and at such a distance from the town of Boston, they will not answer any design or purpose of stationing troops there for the service of the town. And if any number of troops should be fixed in this province, I would take the liberty to propose, that barracks should be built for them within the town, on a vacant spot called Fort-Hill, an advantageous situation, whereon a fort formerly stood; and Governor Bernard tells me it belongs to the Crown. A new fort may hereafter be erected there, if his Majesty's affairs should require it. Every art and evasion has been tried by the major part of the people of every degree, to force the troops to quit the town for want of quarters, whilst those who may have acted, or made known their sentiments, in favour of government, declared they durst not stay in the town, but must remove with their families and effects, if the troops should leave it. When the
houses

houses were ready to receive the troops, the officers were threatened with the clause of the mutiny act against officers, who presume to take upon themselves to quarter troops, &c. and to prevent their being put to any trouble on that account by perverting the act in that particular, as had been done in so many others, Governor Bernard gave a particular warrant to a commissary, against whom no action could lie, to quarter the soldiers in the houses fitted up for their reception. I would take the liberty, my Lord, to represent, that the clause in question is by no means calculated for the circumstances of this country, where every man studies law, and interprets the laws as suits his purposes, and where the measures of government are opposed by every evasion and chicane that can be devised. An officer of rank and long service may be cashiered by the management of two justices of the peace, the best of them the keeper of a paltry tavern, who shall find evasions to disobey the clauses of the mutiny act, which they dislike, and to prevent the sense and meaning of others to serve their designs against him, and unhappily it might be found in some places, that those who should reverse iniquitous convictions of justices of the peace, were no better than the justices who should have granted the certificates of conviction. I troubled his Majesty's Secretary at War some time ago with some very unwarrantable proceedings against an officer on account of the clause

clause in question, which happened to the southward.

After other methods had been tried to get the troops away, I received an address from a number of gentlemen, members of the Council, in which they aim at justifying the people against many misrepresentations of their conduct, blaming the commissioners of his Majesty's customs, and begging the troops may be withdrawn from the town. I have the honour to transmit your Lordship the address and answer thereto.

Those who would justify or rather palliate the proceedings of the people here, complain, that they have been grossly misrepresented, and every little disturbance that has happened, been magnified into dangerous riots; that the disturbance in March was trifling, that of the 10th of June was occasioned solely by the imprudence of the commissioners: they excuse the resolves made at the town meetings, by attributing them only to the extravagance of a few mad people, and aver that the convention was called with no other intent than to take proper measures to preserve the peace and tranquility of the province.

I am to observe upon the above, that according to the best information I have been able to procure, the disturbance in March was trifling, that considering what had happened respecting seizures, the commissioners of the customs had reason to act as they did, respecting the seizure which occasioned the riots on
the

the 10th of June, which was considerable; and though I do not find that they were, at that time personally attacked, yet the assault upon some of their officers, and the threats daily thrown out against themselves, was certainly a sufficient reason to make them apprehensive of danger to their own persons. Whether any harm would have actually happened to them, had they remained in the town, it is not possible to judge. With respect to the resolves procured by some mad people at the town meetings, those mad people have governed the town and influenced the province, a very long time; and after publishing their very dangerous resolves, in the town meeting of September last, carried the motion for convening deputies from the several towns; and the deputies convened accordingly. I shall only observe on this that their intentions were suspicious, and that I am happy the troops from Halifax arrived at the time they did.

The commissioners of the customs are still in Castle-William, and upon being asked about their return to Boston, one of them said, there were troops now to support them, but desired to know if there was any, or what civil officer, who would undertake to ask the assistance of the troops, if there should be occasion for it. The Governor and Lieutenant Governor were present, but neither could be answerable that any civil officer would undertake it.

Your

Your Lordship will naturally imagine that since the troops are here to support the dignity of government, and a due exertion of the laws, that the powers of government are reverted into the hands, where the constitution has placed them, and that the civil officers would immediately avail themselves of so good an opportunity to restore affairs to their proper order, and put the laws in execution against those who should dare to violate them : this is not yet the case, and it is plainly seen, even amongst the few magistrates of whom it is said that they have a real wish and desire to support government and do their duty, that there is a fear of acting contrary to the general sentiments of their fellow citizens, and a desire to maintain a certain degree of popularity amongst them, which prevents them from being particular in the execution of their offices. All now hoped for is, that things being in a more quiet state than they were, the violent temper of the people will abate in a little time, and their minds be more composed, when the magistrates may do their duty with less fear of becoming obnoxious to the people ; the town has been under a kind of democratical despotism for a considerable time, and it has not been safe for people to act or speak contrary to the sentiments of the ruling demagogues ; and surprising as it may appear, those fears are not yet annihilated.

If

If it is asked, why the Governor does not turn all the justices of peace out of commission, and put others in, who will do their duty? It is answered, that the Governor can neither appoint new justices, or turn them out, but by consent of Council; and that the Council opposes every thing proposed to the Governor for the service of Government, that is unpopular.

From what has been said, your Lordship will conclude, that there is no Government in Boston, there is, in truth, very little at present, and the constitution of this province leans so much to the side of democracy, that the Governor has not the power to remedy the disorders which happen in it.

I have the honour to be, with the greatest respect, regard, and esteem, my Lord, your Lordship's most obedient and most humble servant,

T H O. G A G E.

* * Of the many letters written since January 1768, by Governor Bernard to the Ministry, the Council have received copies of the foregoing Six only. His other letters are said to contain high charges against, and gross misrepresentations of his Majesty's most dutiful and loyal subjects, the people of this province.

From the justice of administration it is expected the Two Houses of Assembly will receive authenticated copies of the said letters, and of all papers laid before Parliament, or sent to the Ministry, affecting the character and interests of the province.

G L E T T E R S

LETTERS from the COUNCIL of the Province of *Massachusetts-Bay*, in vindication of themselves and the Province, against the calumnies and misrepresentations of his Excellency FRANCIS BERNARD, Esq; Governor of the said Province.

To the Right Hon. the Earl of Hillsborough.

Province of *Massachusetts-Bay*, }
Boston, April 15, 1769. }

MY LORD,

THE Council having received from Mr. Bollen authenticated copies of six letters from Governor Bernard to your Lordship, containing many unjust reflections upon the Council, and divers misrepresentations of their conduct, and also manifesting his earnest wish and endeavours to bring about an alteration in the civil government of the province, We are obliged in justice to ourselves and the province, to address your Lordship on the subject-matter of those letters, and pray your candid attention to what we have now the honour to write to your Lordship.

In

In the first of the said letters, dated November 1, 1768, Governor Bernard informs your Lordship he now proceeds to conclude his narrative of his endeavours to get quarters for the King's troops.

The preceding part of this narrative we have not seen; but if there be in it the same want of candour, as is discoverable in the concluding part, contained in the said letter, it is necessary, for your Lordship's right information, to give you *our* narrative on the same subject; which we shall do as summarily as may be.

On the 19th of September, the Governor called the Council, and communicated to them a part of your Lordship's letter of the 30th of July, informing them of two regiments being ordered to Boston, from Ireland; and also communicated a letter from General Gage, of the 12th of September, informing of two other regiments being ordered from Halifax, one of them to Castle-William, and the other to the town; both letters required that quarters be prepared for their reception.

The Halifax regiments being first expected, the Council immediately advised, that the barracks at Castle-William should be prepared for the regiment ordered there: and with regard to the other, as it was an affair that more immediately concerned the town of Boston, they thought it adviseable to appoint a committee to confer on it with the

selectmen; who, on the conference, very justly observed, that by Act of Parliament it was made unlawful to take any measures for quartering troops till the said barracks provided by the province were full: and they said they could do nothing in the affair. This being reported to the Governor in Council, on the 22d he proposed to the Council that a house in the town, called the Manufactory-House, should be fitted up for the reception of the troops: but it was objected that the Act of Parliament had, in a very particular manner, directed the process in quartering; and that it was not in the power of the Council to do any thing contrary to that direction. —The Governor however strongly urged them to it, and was very angry because they declined acting contrary to Act of Parliament. The Council desired an adjournment, that they might give him a written answer to his proposal; which, after repeated refusals, he at length granted.---On the 24th they waited on the Governor, and delivered to him their answer.---He proposed an alteration in it, which they were then for considering; but he said they might do it on Monday morning the 26th, and, without the formality of another meeting with him, deliver the answer to the secretary.---It was done accordingly, and the answer delivered at that time to the deputy-secretary, the secretary himself not being at his office.---These circumstances are so minutely mentioned, because the Governor took

took great offence at the Council's ordering their said answer to be published in one of the news-papers of that day; and said he should represent to your Lordship the indignity offered him, by the Council's publishing their answer before it was presented to him. But your Lordship will perceive from the foregoing account, which contains the true state of the fact, that the answer was presented to the Governor two days before the publishing of it; and that the circumstances posterior to its being presented were quite immaterial, even in the estimation of the Governor himself.

In the debate on the fore-mentioned proposal it was said by one gentleman, that Castle-William being part of the town of Boston, it would comport with the requisition for quartering, to quarter both the regiments at the Castle.—— Though this was casually said, and no stress laid upon it, and was not adopted by the Council, the Governor, notwithstanding, represented it to the commanding officer of the regiments, as the reason of the Council's not agreeing to his proposal; and it is possible he may have made the same representation to your Lordship. But your Lordship will please to judge of the reasons the Council proceeded upon, by what is contained in their answer aforesaid, and by nothing else; which answer, it appears by the printed votes of the House of Commons, was, with other papers, laid before that House the 27th of November last; it being there
called

“ Minutes of Council, the 26th September 1768, *extracted from the Boston Gazette*,” and was inclosed in Governor Bernard’s letter to your Lordship of that date, as may be seen in the Votes page 79 and No. 54, of the said papers. These minutes are mentioned as *extracted from the Boston Gazette*: by which it seems the Governor represented to your Lordship that the answer was published before it was presented to him: and it being said to be *extracted from the Boston Gazette*, which the Governor stiles a most infamous paper, seems intended to reflect some infamy on the answer. But the truth is, it was first published in the *Massachusetts Gazette*, (authorized by the Governor and Council) and from thence taken into all the other Boston news-papers.

On the 29th of September a Council was held at Castle-William, Captain Smith, Commanding Officer of the Sea Armament, and Lieutenant Colonel Dalrymple, of the troops, being desired by the Governor to attend.---- The Governor informed those gentlemen what had been the resolutions of the Council with regard to quartering the said troops, and what he was pleased to call the reason of the resolutions, viz. That the Castle being in the town of Boston, the Council declined providing quarters for the troops, before the barracks at the Castle were full.

It appears above that the Governor had no foundation for saying the proceeding of the Council was grounded on the reason he mentioned:

tioned : and he had not the candour and justice to inform the said Gentlemen of the written answer aforesaid, containing the true reason of the proceeding, and of which the Council informed them.

Colonel Dalrymple acquainted the Board that his orders from the Commander in Chief were, that one of the regiments now arrived should be quartered in the town of Boston, and that he could not consider Castle-Island to be in the town of Boston, within the intention of his orders ; that he could not himself depart from the said orders, and that he now made a requisition for quarters accordingly. Whereupon (after the said gentlemen had retired) his Excellency desired that the Board would re-consider the proposal he had before made them, of fitting up the Manufactory-House as barracks for the reception of Col. Dalrymple's regiment, which is the regiment destined for the town, in case it can be done at the expence of the Crown ; and in case they should adhere to their former resolution, that they would assign their reasons therefor.

The Governor was immediately told the act of Parliament obliged them to adhere to their former resolutions. Whereupon, with such as spoke on the occasion, he entered into an angry dispute, and began to take minutes of what they said in answer to him, in order that he might represent it to Administration at home.

This

This was objected to as an unfair way of proceeding, and he was told if he wanted a fuller answer than what had already been given, he should have it in writing, if he would give opportunity for it. But this was refused, and he insisted on our immediate answer. Accordingly an answer was agreed on, and given to him, and was inclosed in the Governor's letter to your Lordship, dated Oober 1, 1768, as may be seen by the printed votes, No. 56, of the said papers.

We are sorry to have any reason to complain that in the whole of this affair the conduct of the Governor was arbitrary, and unbecoming the dignity of his station.

On the 3d of October Col. Dalrymple being admitted with Capt. Smith before the Board, took occasion to explain the intention of his requisition by letter, viz. That as the Board could not think themselves authorised to provide barracks in the town, inasmuch as barracks had already been provided by the Government at Castle-William, he had encamped some of his troops, and was providing barracks for the rest in the town: so that he considered all as in barracks, and demanded barrack provisions, agreeable to act of Parliament. Whereupon his Excellency moved to the Board that they would appoint some suitable person to make such provision.

The Council desired time to consider, and give an answer to his motion: but the Governor

vernor refused it, insisting on the answer immediately.

However, after repeated solicitations and much altercation, the Governor adjourned the Board to Wednesday October 5, when they gave him an answer; copy whereof (as appears by the forementioned printed votes) was inclosed to your Lordship in the Governor's letter of that date.

Part of the said answer runs thus, "Advised, that agreeable to his Excellency's motion, one or more person or persons be authorized and appointed to furnish and supply the officers and soldiers, put and placed in the barracks, with fire, candles, &c. as particularly mentioned in the act of parliament: provided the person or persons so to be authorized and appointed will take the risk of the province's paying to him or them all such sum or sums of money so by them paid, laid out, or expended for the purpose aforesaid,"

The Governor said that this proviso defeated the purpose of the advice, and was intended to defeat it, as every one must be well assured, that no person would undertake to advance money at such a risk. His Excellency was told, that without such a proviso an undertaker would have an equitable, if not a legal demand on the Council, to make good all damages, in case the General Court should refuse to repay him the money advanced---That it would be unreasonable to expect the Council would subject

H

them.

themselves to such a demand; and that in case they were not subjected by law, it would be deceiving the undertaker, and be a manifest act of injustice not to inform him of the risk: for a risk it must be, as it was impossible for any one to determine what the general court would do, either in this or in any other case whatever. Whereupon the Governor proposed, in a manner very dictatorial, that the proviso should stand thus, "That such person should undertake this business, upon the credit of the General Assembly of the province, according to the intent and meaning of the said act of Parliament, and not upon the credit of the particular persons of the Governor and Council." ---But this proposed alteration not taking off the risk from the undertaker but in words, and it not being in the power of the Council to pledge the credit of the General Assembly, it was rejected. It was very unfortunate to the province, and to his Majesty's service in general, that the General Court could not be sitting at a time when their aid was so essentially necessary.

On the 12th of October a full Council was advised to be called on the 26th, in order to consider divers matters of importance, which the Governor said he had to lay before the Council. In the mean time General Gage came to town from New York, viz. on Saturday October 15; and on Monday the 17th the Governor called a Council, and introduced

duced the General ; and here begins the concluding part of the Governor's narrative of his endeavours to get quarters for the King's troops, as appears by a copy of his letter to your Lordship, dated November 1, 1768 ; on which letter we beg leave to make a few remarks.

It appears by the said letter, the General demanded quarters in the town for the two regiments then here ; and that he should reserve the barracks at the Castle for the two Irish regiments expected, or such part of them as they would contain. The Council represented to the Governor, that they had already given their sentiments fully on this subject, in their answer delivered to him on the 24th of September, and referred him to that : but this being not satisfactory, they desired him to postpone the affair to the 26th of October, when a full Council was expected, agreeable to his appointment. This was refused.--- Whereupon the Governor proceeded, as he observes, in a course of questions, which finally issued in a vote of six against five, that the Governor be desired to order the Manufactory-house to be cleared of its present inhabitants, that it might be fitted up for the reception of such part of the Irish regiments as could not be accommodated at the Castle barracks. On this affair the Governor observes, " that the whole was a scene of perversion, to avoid our doing any thing towards quartering the troops, unworthy such a
H 2 body".

body." We deny that any thing was done to avoid quartering the troops ; on the contrary, every thing was done in the power of the Council, consistent with their idea of the act of parliament ; and consistent with what seemed to be the Governor's idea of it on the 19th of September, when the affair of quartering was moved : for when the act was produced, and when some of the Council had expressed their opinion, that, according to the act, quarters could not be demanded before the barracks at the Castle were full, the Governor afterwards, in the course of the debate upon it, implicitly acknowledged the propriety of that opinion, by urging it as the Council's duty, in the case they were considering, to pay no regard to the act ; which injunction of his, if they had complied with, he might have justly charged them with perversion unworthy such a body *. The Governor

* It is proper to mention here a circumstance, which will shew the duplicity of the Governor in a strong light. On the said 19th of September, when the affair of quartering the troops was first moved, he urged very strongly that provision should be made by the Council for that purpose : but it being said that the process in quartering must be regulated by the act of Parliament, the Governor affected to appear ignorant of there being such an act, and afterwards seemed very loth it should be produced. It was however produced and considered ; and the Council, after appropriating the barracks at Castle-William for quartering the troops, by virtue of a resolve of the General Court, thought themselves obliged to adhere to the act of Parliament, as the rule by which to regulate their future conduct in that matter. But the Governor at that time, and at the

vernor having charged the Council with per-
 version, proceeds immediately to charge them
 with *lying*. He says, " That in the course
 of the questions he put to them, they denied
 that they knew of any building belonging to
 the province, in the town of Boston, that
 was proper for barracks; and they denied
 that the Manufactory-house was such a build-
 ing. This was so notoriously contrary to
 truth, he says, that some gentlemen expressed
 their concern that it should remain upon the
 minutes ;

the next following Council, zealously urged them to mea-
 sures contrary to the said act. — It cannot be supposed
 the Governor was ignorant of the act. His duty on that
 occasion in particular, required him to be acquainted with
 it ; and it appears by his letter to Lord Hillsborough, of
 the 5th of November, that he and Lieut. Governor Hut-
 chinson held a consultation together on his Lordship's
 letter to the Governor, giving information of the coming of
 the troops, and requiring quarters to be provided for them.
 At such a consultation on the very affair of providing quar-
 ters, it seems highly improbable that the act of Parliament
 relative to quartering should not occur to, and be consulted
 by them ; especially as the said act had been printed here,
 and inserted in the province law-book ; which could not
 be done without the knowledge and direction of the Go-
 vernor. The Governor's ignorance of the act must there-
 fore be only a pretended ignorance, which cannot be ac-
 counted for but by supposing he intended to over-reach
 the Council, and precipitate them into measures which he
 knew the act of Parliament would not warrant. When
 he failed in that, and found the Council as well acquainted
 with the act as himself, he then endeavoured to bring them
 to act knowingly and *deliberately* contrary to the said act.
 — Such duplicity, such a disposition to over-reach, can
 never recommend him to his Majesty, whose generosity,
 candor, and princely virtues, it would have been his
 honour and wisdom to have endeavoured to imitate.

minutes ; and to induce him to consent to its being expunged, a motion was made and agreed to, relative to the Manufactory-house, whereupon he ordered the former answers to be expunged."---It was to very little purpose to make this bargain with the Governor, which, it seems, was done to save our character ; as he has been the means of spreading the knowledge of it to the whole British legislature, and with that knowledge the infamy his representation tends to fix upon us. 'Tis true the Council denied, and still deny that the Manufactory-house was proper to be stately used for barracks, though in that exigency they consented it should be improved for that purpose. It is capable of being improved in that manner, and so is any other house ; but it is not proper that it should be so improved, for many reasons which it would be impertinent to offer to your Lordship. The concern therefore did not arise from our answer to the Governor's questions being notoriously contrary to truth, but from the impropriety of the questions, and the dishonour they would reflect on the questioner, if entered upon the records. We should not have troubled your Lordship with any observations on a business so trifling in itself, but it is rendered important to us by the Governor's introducing it to traduce our moral character.

“ The next thing to be done, says the Governor, was to clear the Manufactory-House :
the

the preventing of which was a great object of the Sons of Liberty." But of this matter we shall take no farther notice than as it concerns a member of the Council, who is an overseer of the poor, and as such, with the other overseers, has the oversight and direction of the workhouse. " For this purpose (of preventing the clearing the Manufactory-House) when the report of the troops coming here was first confirmed, all kinds of people, says the Governor, were thrust into this building ; and the workhouse itself was opened ; and the people confined there were permitted to go into the Manufactory-House. This was admitted (continues the Governor) to be true in Council, by one of the Board, who is an overseer of the poor, and a principal therein." This representation is wholly without foundation, and was so far from being admitted to be true by the gentleman referred to, viz. Mr. Tyler, that he told the Governor when he mentioned it in Council, there was no truth in it ; and that he had been greatly imposed on by his informers. Therefore the Governor had no reason to say, in the winding up of his story about the Manufactory-House, that " thus this building belonging to the Government, and assigned by the Governor and Council for his Majesty's use, is kept filled with the outcast of the workhouse, and the scum of the town, to prevent it's being used for the accommodation of the King's troops." We beg leave to refer your Lordship

ship to the deposition of Mr. Tyler and the other overseers on this subject, herewith enclosed.

The Governor next proceeds to narrate his negotiation with the justices on the subject of billeting; but their conduct it is their own business to justify, if they think proper. We shall only observe on this part of his letter, that he has thrown out several censures upon the Council without foundation, on some of which we shall presently remark.---The Governor concludes this letter by saying he has already shewn to your Lordship how the order of Council for the purpose of providing for the two regiments at Boston, according to act of Parliament, was annulled and avoided in the origination of it: and that the Council have refused to make such an order for providing for the troops at Boston, as has been made by them for the troops intended to be stationed at Castle-William. We have already given your Lordship an account of our proceedings in this matter, by which we persuade ourselves it will appear to your Lordship, that the Council have done all that was in their power to do, without the aid of the General Assembly, which, from a clause in the Governor's letter, dated November 5, it appears probable he was at liberty to call. Supposing this to be the case, and whether it was so in facts, is well known to your Lordship, he ought rather to censure himself than the Council, for neglecting this measure

measure of effecting the thing ; which measure he has been often solicited to go into.

The Governor's letter of the 5th of November is wholly taken up in censuring the conduct of the Council, with regard to the commissioners of the customs.---At a General Council, held the 26th of October, he says, he " put a very embarrassing question to them, viz. Whether the commissioners might return to the town and resume their functions, with safety to themselves and their officers ? If they answered, yea, they would be chargeable with advising the return of the Commissioners : if they said, no, they would contradict all their assertions, that there was no occasion for troops to support the civil power."

This very embarrassing question, my Lord, had no embarrassment in it : for even on the supposition that what the Governor in one of his letters has said be true, that the Council are always for humouring the people, they were however no way apprehensive of being charged by them with advising the return of the Commissioners, if they answered the question in the affirmative. Nor have we any reason to think the Council have been so charged, notwithstanding they did answer so.

The Council did not apprehend themselves obliged to give opinions ; and their answer to such a question could be nothing more than

an opinion, which the Governor implicitly acknowledges they were not held to give ; and though he altered the form of the question, and it might be put, as he says, viz. “ Whether they would advise him to assure the commissioners, that they might return with safety ? ” The answer to it, which was given in the affirmative, amounts only to this, that he himself should give his opinion to the commissioners, that they might return with safety : for his assuring them that they might return, though done in consequence of our advice, and our own assurance (if it had been added to it) would still be only a matter of opinion. But the principal reason why so much time was spent in this affair, and in the other proceedings at that Council, the Governor might have found in himself---in his own austerity and incivility.

The Governor has found great fault with the conduct of the Council towards the commissioners. “ The virulence with which they have been treated, seems, he says, to be too violent to be the effect of publick zeal only, without the interference of private animosity.” The Council, my Lord, even if they had been influenced by meer motives of resentment, could justify all they have either said or done, with regard to the commissioners, who in divers of their letters to the Governor, which he laid before the Council, have treated the Council in a very unbecoming manner ; one of which letters, in
the

the time of it, the Council would have animadverted on, but to prevent their doing themselves justice, the Governor withdrew it. They have not, however, been actuated by resentment or private animosity, but by a regard for the town, and province : both which the commissioners, whatever they may have done by their letters and memorials to Administration, have greatly abused by their retiring (under the pretence of safety) on board one of his Majesty's ships, and afterwards to the Castle : intending hereby that their memorials should have the stronger effect. But, my Lord, their retiring was voluntary---they were not compelled to it---they had never been attacked, and it is highly probable never would have been, unless they themselves had first concerted the plan of the attack :---and that they had concerted such a plan seems probable, from their ordering the seizure of the sloop Liberty, on the 10th of June, with such circumstances of violence, and at such a time of day, as indicated a design to create a disturbance, which accordingly happened ; and which, though trifling in comparison with what it has been represented, they improved as a plausible reason, on which to justify their voluntary flight.---If this has been the conduct of the commissioners, which there is too much reason to believe, is it wonderful, my Lord, the Council should animadvert upon it ? Or that they should endeavour to

prevent the evil consequences to the town and province, which it had a tendency to bring upon them, and which, in fact, it has brought?

This is the reason, my Lord, on which the proceedings of the Council, with regard to the commissioners, are grounded, and not any private animosity, which is basely suggested by Governor Bernard.

Those proceedings of the Council which first gave offence to the Governor, were on the 27th and 29th of July last, at which times the behaviour of the Governor to the Council was so extraordinary, that we beg your Lordship's indulgence to give some account of it.

On the 27th of July the Governor laid before the Council, with an injunction of secrecy, a paper relative to the riot in Boston on the 10th of June, to the proceedings in consequence of it, and to an offer of troops from General Gage: in which paper were a very imperfect account of those proceedings, and some unjust censures upon the Council.

The Council thought it reasonable they should have time to place those proceedings in a true light; and, by so doing, show that they were unjustly censured. But notwithstanding the reasonableness of it, he refused it: and kept them the whole day (saving a short interval for dinner) treating them in a most abusive manner, and worrying them
for

for an immediate answer. But as he could not prevail, he adjourned the Council to the 29th, when he had the answer, which, by the Votes of the House of Commons, it appears the Governor has communicated to your Lordship.

With regard to the injunction of secrecy, it was objected, that from the tenor of the Councillor's oath, and from the nature of the thing, the Governor had no right (exclusive of the Council) to lay any such injunction; and besides, as it was apprehended by people in general, that the calling of that Council was for the purpose of bringing troops into the province, it could answer no good end to keep the proceedings (which were against that measure) secret. But the Governor, in a manner inconsistent with decency, insisted on the injunction, and the affair was kept secret, to the great and unnecessary uneasiness of the community. The conduct of the Governor, as it is manifest there was a concerted plan between him and the commissioners to introduce troops here, can be accounted for no other way than this, that he apprehended the publishing those proceedings might possibly retard or prevent the sending of the troops, which, we humbly conceive, it probably might, if those proceedings, without the Governor's comments, could have reached your Lordship before his Majesty's orders had issued.

The

The sending for troops has long been a favourite measure with the Governor, who has, however, appeared desirous it should be thought he has not sent for troops, and has repeatedly said so: but if he has taken care that the measures of others should be effectual for that purpose, which we have reason to believe, the effect is still the same; and he becomes chargeable with an unmanly dissimulation.

The Governor, not content with censuring the Council for their conduct in Council, steps beyond his line to bestow his censures upon them: which he does in a very illiberal manner for their addressing General Gage.

There are several very exceptionable things previous to his observations on the address; which was unanimous, notwithstanding the Governor informs your Lordship that four refused to sign it: for these four were not present when it was settled; and three of them, who lived in the country, and whose business called them home, had never seen it. But with your Lordship's leave we will pass over those things and come to the observations: "It is well known to your Lordship (says the Governor) that this kind of writing is designed for the people, and this is notorious in the present case." We acknowledge, my Lord, that this address was designed for the people---the people of this province in general, and of the town of Boston in particular, who, we had reason to think, had been grossly vilified

vilified and abused by certain memorials and representations, sent from hence to Administration at home, particularly with regard to what have been called the riots in Boston, on the 18th of March, and 10th of June, 1768: and for the good of this people it was our indispensable duty to endeavour to place those proceedings, with the cause of them, in a just light; and in this way to abate the resentment such memorials and representations had a tendency to excite against the town and province: and with this view, and to prevent a further accession of troops, the address to the General was undertaken and determined on; and with no design to abuse the commissioners (who are mentioned but incidentally) notwithstanding Governor Bernard assures your Lordship this was our principal design. His other observations therefore, which are built upon this supposition, are “like the baseless fabric of a vision;” and which, that we may avoid retorting his unjust reflections, and especially that we may not give your Lordship any unnecessary trouble, we shall take no farther notice of. Now we have had occasion to mention the riot of the 10th of June, we cannot refrain mentioning one circumstance concerning it, which is, that the morning after it happened being Saturday, the Governor, with the advice of the Council, appointed a committee, of such Members of the Board as were qualified to act as justices of the peace in the county
of

of Suffolk, to make enquiry into the particular facts as soon as may be, and report to the Governor in Council, that so they might take proper measures on so interesting an occasion; and the Governor desired the committee to meet him on Monday morning, in order, with him, to proceed on the enquiry: but on that morning, instead of proceeding on the enquiry, he postponed it, as appears by the Council minutes, and never after resumed it. This seemed strange in the time of it; but the reason appears more clearly since our seeing the printed Votes of the House of Commons, wherein, among the papers on American affairs, laid before that House, there are mentioned depositions relative to said riot, enclosed to your Lordship in Governor Bernard's letter dated June 14, 1768, and mentioned in the said Votes.

Now, my Lord, is it any way uncharitable to suppose the Governor postponed the enquiry with the said justices, in order that there might be no contradiction between the depositions that might have been thus jointly taken, and such as he had enclosed to your Lordship? Was it not more likely, my Lord, that a true state of the facts might have been brought forth, by such a joint enquiry, than by a separate one? On the one hand, it might be said, the justices, without the Governor, would be most inquisitive after facts and circumstances, that would place the delinquents in the most favourable light; and on the other hand, that the
Go-

Governor might run into the contrary extreme, which would place them in the worst light; and if this should be thought probable on both hands, from both of them conjunctly, the exact state of facts might have been expected. It is therefore greatly to be regretted, and argues a disposition and design in the Governor to represent things in the worst light, that he postponed, and never after resumed the enquiry: and the representations, contained in authenticated copies of his six letters transmitted to us, are a demonstration of such a disposition, and of a disposition, under pretence of magnifying the King's power, to make his own arbitrary and uncontrollable.

In the Governor's letter of the 12th of November, he reports to your Lordship how he proceeded in admonishing the justices; and expresses his displeasure, that the Council would not act with him in this business; nor advise to any method of enforcing the order contained in your Lordship's letter; and that he could make nothing of them but passive associates. The Council my Lord, apprehended it highly proper, that before the justices were censured, they should be informed of the charges against them, and heard in their defence. And because the Council desired to be excused acting in this business before such information and hearing, they are thus most grossly abused, and misrepresented by the Governor. He insinuates that the Council impeached the truth

and justice of your Lordship's letter, " both of which, he says, he observed to them were founded on notorious facts." This charge they deny. They might doubt, and had great reason to doubt the facts on which your Lordship's letter was founded, and which were represented by the Governor, without impeaching your Lordship's truth or justice.

In the course of the two last conferences with the Council, " he had an opportunity, he says, to observe upon and lament the servility, in regard to the people, with which the business of the Council was now done in comparison with what used to be."

Whatever character former Councils may have been of, the present Council humbly trust, my Lord, that such an unworthy one as this, does not belong to them; but if it should, they will not add to the indignity of it by any act of servility to his Excellency.--- The Governor would prove the servility of the Council by saying, " that one gentleman said, he did not enter the Council Chamber with that free mind he used to have; but as he liked to be concerned in public business, he must be content to hold his place upon such terms as he could." A gentleman of the Council has divers times said that he did not enter the Council Chamber with the same pleasure he used to, and the reason he assigned was the angry disputes which had subsisted for some time between the Governor and the Council: he has likewise said he liked to be concerned in public

lic business : but he absolutely denies his saying, and there's no one of the Council remembers he ever said, that he must be content to hold his place upon such terms as he could ; or any thing tending to convey such an idea. This is the whole matter upon which the Governor builds the infamous character he has given of the Council to your Lordship. These anecdotes, which the Governor calls trifling, are really so in themselves ; and not only trifling, but (as he represents them) untrue, and discover great malignity towards the Council, not only as a body, but as individuals. Though the anecdotes are trifling in themselves, they are not so with regard to the purpose he intended they should answer : for if the Council be such servile wretches as he has represented them to your Lordship---if they would be content to hold their places upon such terms as they can---it is high time, my Lord, they should be removed : and if a seat at the Council Board, under the present form of government, can be held by no other tenure, it is become quite necessary (as the Governor observes) “ that the King should have the Council Chamber in his own hands.”

The Governor's next letter to your Lordship is dated November 14, in which he considers that part of his orders which relates to the reforming the Bench of justices : in which letter, as in all the rest, he is very liberal in his abuses of the Council---“ they make, he

says, the humouring of the people their chief object--the majority of the Council has avowed (indirectly at least) the same principles, and now appear to act in concert with that party from whence the opposition to Parliament originated."---" They are the creatures of the people, and will never join with the Governor in censuring the overflowings of liberty," &c. But we shall pass them as undeserving further notice.

There are several other things in this letter, worthy of remark, which we beg leave here to mention.

" It is a great defect, he says, in this government, that the King has no power over the commissions, which are granted in his name and under his seal."

But if this be a defect, there's a similar defect in the government of England, with regard to similar commissions. But your Lordship is sensible, this is so far from being a defect with respect to some commissions, particularly those of the judges in England, that the King having no power over them, is esteemed the strongest security to the liberties and property of the subject. The removal of the pretended defect here, would put all the judges, justices, and other civil officers under the power of a Governor, whose power already, if a good Governor, is apprehended to be sufficiently extensive; and if an arbitrary and oppressive one, much too extensive.

The

The Governor next attempts to prove that there is such a defect in this government : but his argument is cloudy and wholly inconclusive. He observes in it, “ the Council of this province is as much out of the controul of the King, as the House of Representatives is.” But this is a very great mistake, as his Majesty’s Governor has a negative annually upon the choice of every member of the Council ; and has none at all upon the Representatives. It is also a mistake in him to say, that when the Governor has once set the King’s seal to a commission, it is for ever out of the hands of the Crown ; and the person who has obtained it may thenceforth defy the King, oppose his laws, and insult his government, and be in no danger of losing his commission : for, as the Governor himself adds, the Governor with the advice of the Council can supersede him. But “ if he acts in a popular cause, the Council, who are themselves the creatures of the people, will never join with the Governor in censuring the overflowings of liberty.” The Council, my Lord, are no more the creatures of the people than of the Governor, as his approbation of the election is necessary to their existence ; and they are much more likely to be under the influence of a Governor than of the people ; and therefore much more likely to join with him in censuring the overflowings of liberty, than the contrary. But, my Lord, at the worst, supposing such a magistrate should escape

escape censure through the fault of the Council, would it not be better that an instance of that sort should now and then happen, than that a Governor a thousand leagues distant from the throne, should be entrusted with a power so exorbitant and uncontrollable, as Governor Bernard is endeavouring to acquire, but which, we humbly hope, our gracious Sovereign will never entrust either with him or any of his successors.

This exorbitant power Mr. Bernard is for extending to all the Governors in his Majesty's colonies, and proposes, or rather dictates, that it should be done by a general act of Parliament, vesting such a power in the Crown. But "it will not be necessary, he says, that such an act should be general. It is more wanted in this Government than in all the other together: and even here the defect will be cured by a Royal Council." This is the least, my Lord, that will content him. But we humbly trust in his Majesty's goodness, that the charter of the province, with all the rights and privileges, granted by it to this people, will be continued to them, notwithstanding the machinations of Governor Bernard, and all other enemies of the constitution.

The Governor's letter of the 30th of November being wholly relative to the conversation between the Governor and Mr. Bowdoin, on the prayer of the Council's petition to his Majesty,

Majesty, Mr. Bowdoin will have the honour of writing to your Lordship on that subject.

The Governor's letter of the 5th of December, relative to the Council's petitions to the two Houses of Parliament, is principally designed to frustrate them; to give your Lordship a wrong idea of many of the circumstances attending the agreeing on them; and to let you know that the Council is brought under such awe of their constituents, by the frequent removal of the friends of Government, as that there is very little exercise for private judgment in popular questions.--- We thought, till the receipt of this letter of his, that the whole of our conduct in this matter, at least, was in no instance excepted to by him: but we have found ourselves mistaken. There is nothing in this letter very material, and therefore without taking further notice of it, we beg leave to give your Lordship some account of the origination of those petitions. Your Lordship will therefore please to be informed, That at the last sitting of the General Court, the Council thought it necessary to petition his Majesty and both Houses of Parliament, on the subject of the acts of Parliament for raising a revenue from the colonies, and divers times considered it. As it was apprehended the session would be a long one, on account of the settlement of the valuation of estates through the province, the Council did not appoint a committee to prepare the petitions, before the Governor commu-

communicated, on the 24th of June, the latter part of your Lordship's letter, signifying his Majesty's pleasure, relative to the dissolution of the General Court. The Committee reported the draft of the petition to the King on the 29th, when it seems the Governor had determined to prorogue the Court.

The petition had been read, and was under consideration, when the message to the Governor from the House, in answer to the requisition for rescinding certain resolves, interrupted the proceeding in it: but after receiving the said message, the Governor would not suffer it to be resumed, though earnestly requested, and without any necessity immediately prorogued the Court, which prevented the Council petitioning in their legislative capacity: in which capacity the Governor could not dispute the Council's right to petition independent of him. They thought it very unkind and very unjust, that he would not suffer them to compleat their petitions, which might have been done the next day; and they cannot account for that very hasty and abrupt prorogation, but by supposing it proceeded from an intention to prevent or frustrate the said petitions, and to stop a remonstrance to his Majesty against him, which was then debating in the House of Representatives. With regard to the said petitions, immediately after the prorogation, it was moved in Council to proceed upon them; but

but the Governor interposed, and insisted that the Council had no right to do it without him. A Committee, after much altercation, was finally, with his consent, appointed to prepare a petition to the King and the King only, the Governor insisting that the Committee should not be authorized to prepare petitions to the Lords and Commons: which shewed his intention to prevent the petitions to the two Houses of Parliament: and in regard to the petition to his Majesty, it has been apprehended he designed to frustrate that.

This last-mentioned petition, at the Council's desire, was by the Governor, in whom they then thought they could place some confidence, transmitted to your Lordship, with their humble request, that your Lordship would lay it before his Majesty. In the prayer of it a word is used, which the Governor is apprehended to have laid hold on, to *draw* a sense very different from what he knew the Council intended; and that accordingly in writing to your Lordship he introduced the prayer of it in such a manner, as to make it seem that the Council intended to petition against the revenue-money being *drawn*, or sent from America, rather than for the repeal of the revenue acts. But however this may be, (about which we are not yet satisfied, notwithstanding the Governor is pleased to say we are) it occasioned our petitions to the two Houses of Parliament, in which, that we might not be

L mis-

misapprehended from any reasonings of the Governor on the prayer of our petition to his Majesty, we have prayed for the repeal of those acts in the most explicit manner.

With regard to the Council's petition transmitted to your Lordship by the Governor, we take this occasion to thank your Lordship for laying it before his Majesty.

And now, my Lord, having given your Lordship a general account of the Council's proceedings, in which they have acted (in a manner his Majesty expects they should act) agreeable to their oaths and consciences, and with an unremitting regard to his service, honor and government, they humbly beg leave to express their deep sorrow and distress on account of his Majesty's displeasure, which the town and province at present experience.

The dissolution of the General Court---the ships of war stationed here---troops in possession of the town---the precautions taken to prevent any intelligence coming hither of the embarking of the troops from Halifax, and the circumstances attending their landing here, as if in an enemy's country---all indicate the frowns and displeasure of his Majesty.

We do not yet certainly know all the means by which this has happened: nor do we yet certainly know all our accusers. But we apprehend the representations and memorals, that have been made by Governor Bernard,
the

the commissioners of the customs, and some other persons, concerning the disorders and riotous proceedings, which happened in the town of Boston, in March and June 1768, have brought upon them that misfortune. What happened in March was of no consideration, and it must indicate a great degree of malevolence to represent it to the disadvantage of the town.

What happened on the 10th of June, though highly unwarrantable and unjustifiable, was attended with circumstances, that make it probable a riot was planned, and hoped for, by some of those persons, who most exclaimed against it, and have made it the subject of those memorials and representations. But for a fuller detail of those disorders, and the apprehended occasion of them, we beg leave to refer your Lordship to the proceedings of the Council on the 29th of July last, and to their address to General Gage of the 27th of October, both which have been communicated to your Lordship by the Governor, and which we humbly hope, notwithstanding they were accompanied with his animadversions, have induced his Majesty to look upon the town of Boston, in a more favourable light than the authors of the aforesaid memorials and representations are desirous he should.

Upon the whole, my Lord, we are constrained to say that Governor Bernard's great aim (as evidently appears by his letters) is

the destruction of our constitution, derived to us by charter, and as Englishmen ; and that in his letters to your Lordship, he hath stuck at nothing to effect this purpose. A constitution, dearly purchased by our ancestors, and dear to us, and which we persuade ourselves will be continued to us notwithstanding the representations in his letters ; the truth of which depends solely upon his own averment.

The most material things charg'd upon the Council are, their not doing their duty with respect to the providing quarters for the King's troops posted at Boston ; and a general omission of duty, arising from their servility to the populace, the pleasing of whom hath, according to his representation, been the rule of their conduct---both without foundation or even colour of truth.

With regard to the first, in addition to what has been already observed, we beg leave further to remark, that such hath been the zeal of his Majesty's Council for his Majesty's service, that they have always done every thing within their power to promote it ; and have even exceeded the authority given them by the act for punishing mutiny and desertion. About the beginning of the late war, when there arrived a number of his Majesty's troops in the harbour of Boston, immediately and without the least hesitation, the barracks at Castle William (within the township of Boston and but
three

three miles from the center of the town) were built by the province for the accommodation of the King's troops; and were in the judgment of Sir Jeffery Amherst, when here, the best and most commodious of any in North America. These were by the Governor and Council provided with necessaries for those troops, and furnished with every thing that by act of parliament was required, and even beyond its demands; and the like provision has been made divers times since, as troops have occasionally arrived here. And now again, upon the news that his Majesty had ordered troops hither, the Governor and Council directed the Provincial Commissary General, that the barracks aforesaid should be put into proper order for their reception; and that barrack utensils, &c. should be provided with the utmost expedition, which was done accordingly. These are facts that no one can deny. But it has been said, that the Council did not exert themselves for the provision of the troops in Boston; to which it is answered, that if they did every thing that by the act of parliament last made they were obliged to, or might do, surely they did their duty; and are not to be blamed: this was the case; nor did they omit any thing within their department. By the preamble of the act it appears plainly, that the public houses and barracks are first to be filled; and by the first enacting clause, the constables, tythingmen, &c. are required to quarter and
billet

billet the foldiers, and in their abſence or default a juſtice of the peace is to do it, they and *no others* : conſequently if the Council had quartered any foldiers at any place, even in inns or livery ſtables, againſt the mind of the owner, he could maintain treſpaſs ; and no order of Governor and Council could have defeated the action. But in caſe there ſhould not be ſufficient room for the officers and foldiers in ſuch barracks, inns, &c. that in ſuch, and in no other caſe, and upon no other account, it ſhall and may be lawful for the Governor and Council to order quarters ; from whence it clearly appears, the Council exceeded their authority in favour of his Maſteſty's troops, rather than otherwiſe. Is it not manifeſt, my Lord, that the Governor and Council had no right to meddle in the affair of quartering aforeſaid, excepting it was for the reſidue of ſuch officers and foldiers for whom there might not be room in ſuch barracks, inns, and public places ; then, and in that caſe, and upon that account, and in no other caſe, had the Governor and Council any right, power, or authority to give orders touching the quartering the ſaid reſidue : but this never took place, none were quartered as directed by ſaid act, ſaving thoſe at the barracks at Caſtle William. This is the true conſtruction of the act of parliament, which is a penal ſtatute ; and every penal ſtatute is to be conſtrued ſtrictly. It never was in the intention of the Council to evade

evade the act in the least measure, or to give it such a construction as would render it of no effect in this province, notwithstanding what the Governor hath most injuriously suggested to the contrary. This act respects his Majesty's troops, either when at winter quarters, or when upon their march, or both; it is not to be imagined that the parliament of Great Britain when they made this act, had in contemplation that there would be a great number of the King's troops sent to the plantations to keep the King's peace there, which the troops have no authority to do, simply considered as the King's troops, but only as part of the *Posse Comitatus* under the direction of the civil magistrate: but whether this was the intention of parliament or not, the King has a right to send his troops where he in his great wisdom shall think best; and to resist the King's troops in their landing, on their march, or at quarters, is rebellion and high treason; and it would be very unbecoming his Majesty's council not to give them all that assistance they were commanded by law to give them.

The sentiment of the Council is this, that when the troops are at quarters in the same town where there are good barracks provided, these must be filled first. But the Council never were so absurd as to construe the act, that when the King's troops were upon the march a hundred miles from such barracks, no provision should be made for them on their march :

march : in such case, my Lord, the same provision ought to be and would be made for them as if no barracks had been in the province.

As to the omission of duty, particularly with regard to the suppressing riots, mobs, disorders or the like, the Council can with truth say, it is not in the Governor's power to give one instance, wherein they have not exerted themselves to the utmost to suppress them. In proof of their having done so, they can appeal to their answer to the Governor, relative to a libel published against him ; to the proclamations they have advised him to issue ; to the orders they have given the Attorney-General to prosecute those who have been rioters, or otherwise, disturbers of the peace ; and to the rewards offered to induce persons to bring them to justice. The Governor never laid any thing of this nature before the Council, wherein they were not as fond of having the transgressors brought to condign punishment, as the Governor himself ; and of taking every legal measure to effect it.

Nor do we know an instance of any magistrate being complained of before the Governor and Council, but the Council carried their resentments as high against him as the Governor, and some of them much higher : Why then should the tenure of such officers commissions depend on the will of the Governor ! which is what he greatly desires ; and which will be the case, should he succeed in
his

his desire. Such a dependance is quite contrary to the tenure by which the judges in England, before the accession of his present Majesty, held their commissions; and much more so now, since their commissions continue in force notwithstanding the demise of the King. If there has been no instance since the charter of a difference in sentiment between the Governor and Council, to the present time, relative to the displacing or superceding any civil officer, (and we don't know of one) what foundation can there be for the Governor's complaint, and the representations he has given, but what arises more from an unjust and ungrateful prejudice against the province, than a real regard to the King's authority? How he could write to your Lordship, that his informations to you were founded on the strictest truth and candour, is truly surprising; and to declare, as he has divers times done, that he never wrote to the prejudice of this country, shews what credit his letters deserve. If the Governor knows there are persons in the magistracy that have acted a part unworthy or inconsistent with their office, was he not, in duty to his Majesty, bound to exhibit a complaint against such to the Council? and when he should observe any failure on the part of the Council to remove such persons, it would have been early enough for the Governor to represent the Council in the unkind and unjust light he hath done. It hath been the happiness of his Majesty's Council,

M

cil,

cil, from the grant of the charter till lately, to be on the best terms with the King's Representative. There have indeed been frequent disputes between the Governor and the House of Representatives, but never (that we know of) between the Governor and the Council, till now. That it is so at this day, is our unhappiness, not our crime. Never was there a Council that have borne so much from a Governor, as the present Council have borne from Governor Bernard. How often have they been threatened by him, that in case they would not come into his measures, he would lay their conduct before the ministry? How often hath he demanded answers to his questions immediately, purely to ensnare them, without allowing them time to consider the subject, or to assign the reasons of their answers? In how many instances has he demanded the advice of the Council on their oaths, relative to matters of no public concern, and altogether foreign to the true intention of their oaths as councillors, and on which they were not obliged by their oath of office to give their advice, or to make any answer? How often has he, upon asking advice, refused receiving it, because it did not suit him? And though nothing can be more absurd than to ask advice, and tell the persons of whom it is asked, that it must be in this or the other manner, (in which case it is the advice of the person asking advice, and not the

the

the advice of them from whom it is asked) yet this has been very much his practice.

How kind and just would it have been in Governor Bernard, to let the Council have previously known the several articles of his intended complaint against them, and of his purpose (as far as in him lay) to bring about the most essential and fundamental alterations in the constitution of this government, that they might have had opportunity of answering for themselves and their country; and not be condemned (as he intended they should be) unheard; especially at a time when there was no House of Representatives to defend the province. Had he been, what his station required him to be, the father of this people, he would have done it; and by so doing have had the applause of the King his Royal Master, who delights in nothing so much as in doing justice himself, and seeing all in authority under him, imitating his Royal example.

It is plain, my Lord, that the people of this province, of all ranks, orders and conditions, (with but few exceptions) have lost all confidence in Governor Bernard, and he in them: Wherefore, from the highest sense of duty to his Majesty, (whose honour and interest is very near our hearts) and from a just regard to this province, and to all the colonies and provinces on this continent, we most humbly submit to your Lordship, whether his Maje-

ty's service can be carried on with advantage during his administration.

We have the honour to be, with the most perfect regard, my Lord, your Lordship's most obedient, and most humble servants,

<i>Samuel Danforth</i>	<i>Harrison Gray</i>
<i>Isaac Royall</i>	<i>James Russell</i>
<i>John Erving</i>	<i>Royall Tyler</i>
<i>William Brattle</i>	<i>James Pitts</i>
<i>James Bowdoin</i>	<i>Samuel Dexter,</i>
<i>Thomas Hubbard</i>	

*The major part of the Council.**

* Such Members of the Council as live in the country, and have not signed this letter, were too remote from Boston to attend with convenience on this occasion: and the vessel which carried the said letter, being to sail within a few days after the copies of the Governor's foregoing letters were received, it was impossible for some of them to attend.

Mr. Bowdoin's LETTER to Lord Hillsborough.

Boston, April 51, 1769.

My LORD,

THE occasion of my addressing your Lordship, proceeds from a letter of Governor Bernard to your Lordship, dated the 30th of November last: a copy of which, with copies of other letters of the Governor, has been sent to the Council of this province.

Of

Of this letter, my Lord, as it wholly relates to a conversation between the Governor and myself, and to what happened in consequence of it, the Council have taken no farther notice, in their letter to your Lordship of this date, than to refer to what I have now the honour of writing to you on the subject of that conversation. The Council's petition to his Majesty, which the Governor enclosed to you in his letter of the 16th of July, was the subject: and what passed upon it I beg leave, at the desire of the Council, to inform you. But to make it intelligible, it is needful to quote here part of the prayer of the petition, viz.---

“ And if it should appear to your Majesty, that it is not for the benefit of Great Britain and her colonies, that any revenue should be *drawn from the colonies*, we humbly implore your Majesty's gracious recommendation to parliament, that your American subjects may be relieved from the operation of the several acts made for that purpose, in such manner as to the wisdom of your Majesty and parliament may seem proper.”

The design of the Council, my Lord, and it appears by the general tenor of the petition, and by the above-cited clause, their design was, to implore his Majesty's recommendation to parliament, that his American subjects might be wholly relieved from the several acts of parliament made for the purpose of raising a revenue from them; or that the said acts
might

might be repealed.---That this design might be more effectually answered, the Council, confiding in the governor, desired him to transmit to your Lordship the said Petition ; and to use his influence that the prayer of it might be granted. He transmitted it accordingly, together with a letter to you, in which, from the conversation referred to, I was induced to think the Governor had endeavoured to give a sense to the above-cited clause, very different from what he knew was the intention of the Council ; and from the sense, which the words themselves, taken all together, in common construction convey.

From the word *drawn*, in the said clause, I was led to think, he had drawn this construction of it, that the Council acquiescing in the said acts of parliament meant nothing more by the said clause, than to desire that whatever money might be raised in the colonies, by virtue of the said acts, might not be drawn from, or sent out of the colonies ; but that the whole of it might be expended in them. “ You meant, said the Governor (speaking to me concerning the Council’s petition at the College, where the conversation was had) by revenue *drawn from the colonies*, revenue *raised in them*. But however, said he, I have taken your meaning to be, that you desire that none of the revenue money may be sent away out of America : and accordingly I have wrote to
the

the Secretary of State, representing the inexpediency of ordering any of the American revenue to be sent out of America : and you may depend it will not be done ; for his Majesty's service in America will require more money than that revenue can supply."--- Thus far, my Lord, the subject could give me no occasion to suppose (what the Governor appears very desirous should be supposed) that what he said was "in joke"--- "There is money in the revenue chest, continued the Governor, and I hope it will be ordered out soon ; and that I shall have some of it."---Here indeed there might have been room for some pleasantry : but the Governor appeared to mean what he said.

This, my Lord, is the substance of what passed.---I was astonished at his endeavouring to pervert the intention and meaning of the petition : and several gentlemen of the Council, to whom I mentioned this conversation on the same day, were no less astonished at it too : and it was thought, if he had done so, he had not only betrayed the trust reposed in him by the Council, and by so doing abused the province, but at the same time had endeavoured to impose upon your Lordship ; and through your Lordship, upon his Majesty.

Soon after the Commencement July 20th, on which day the conversation happened, a number of the Council met together to consider about petitioning the two houses of
par-

parliament : principally with a view of preventing the Council's petition to his Majesty being misunderstood : but as there was time enough before them, they postponed it, and afterwards in November proceeded upon it, and forwarded to Mr. Bollan two petitions to the Lords and Commons for that purpose.

I will now proceed, with the leave of your Lordship, to take notice of the Governor's letter : in which, informing your Lordship of the conversation with him, whereby I "justified" what he is pleased to call my "charge against him," he says I mentioned "something which explained the whole ; and shewed, that what he said upon that occasion, was entirely in joke. And this was confirmed by a councillor."

What the Governor did say, my Lord, I have represented above : to the truth of which I shall be ready to testify whenever your Lordship, or the Governor shall desire it. In the mean time, as I would not trouble you with any unnecessary observations, I shall leave it to your Lordship to determine, whether it can be inferred from the account above given, that what he said, was said "in joke."

But "this was confirmed, says the Governor, by a councillor."---What passed, my Lord, was between the Governor and myself ; and could not be heard by any one else. What this Gentleman (the councillor) said

said was, that the Governor talked very facetiously, or joked about a large salary he expected to receive out of the American revenue. But even this was on a different part of the day, and at that gentleman's house, where I was not present: and no way related to the Governor's conversation with me; nor to his giving to your Lordship a meaning to the Council's petition different from their own. It is necessary then he should produce some further evidence, to prove "that what he said to me (mentioned above) was intirely in joke."

The Governor says, his letter in question, dated July 16th, he had copied: and that the three or four gentlemen to whom he communicated it, "were greatly surprized to find it so clear of my charge."---This charge, my Lord, whether true or false, was not my charge: it was the Governor's against himself; and was only related by me, as I had had it from his own mouth. I was obliged to believe it, or call in question his veracity. I wish the account he has given to your Lordship, relative to our conversation, had helped me out of this disagreeable dilemma.

The Governor informs your Lordship he produced the letter at Council, and read the whole passage referred to: "from whence it appeared, he says, that in mentioning the prayer of their petition, he used their own words, without adding a single word of his
N own."

own."---" This appeared satisfactory to the whole Council, except Mr. Bowdoin."

The Governor, my Lord, read a paper, which he did not deliver out of his hand, and which, not having an opportunity of reading it myself, I might misapprehend. But from my remembrance of it, if the words of the prayer were used in it, they were introduced with so much address, as to give me a very different idea, from that which the same words, as introduced and used in the prayer itself, do convey. It was not therefore (as the Governor justly observes) satisfactory to me : nor was it satisfactory to the whole Council beside, notwithstanding he is pleased to declare so.

¶ There is one passage more, I beg leave to remark on. The Governor informs your Lordship, that I " have all along taken the lead of the Council in their late extraordinary proceedings." The Council, my Lord, see and act for themselves : they have no leader---no guide but law, reason and the constitution. As they acknowledge no leader, so neither have they any fondness for a dictator : in which character, my Lord, Governor Bernard for some time past has been endeavouring to establish himself.

As the Governor has unjustly represented me as the leader of the Council, I beg leave to assure your Lordship, it is a character that does not belong to me : and I take this occasion wholly to disclaim it.

In

In respect to the late extraordinary proceedings, (as the Governor is pleased to call them) the Council have wrote to your Lordship a full account concerning them. In those and all their other proceedings, they have been actuated by the principles of duty and loyalty to his Majesty, and by a regard to his honor, and the welfare of his faithful subjects of this province. And I humbly hope, my Lord, that not only in those proceedings (so far as I have had any share in them) but in the whole of my conduct, I have been, at least in some measure, under the influence of the same principles.

I have the honour to be, with the most perfect regard, my Lord, your Lordship's most obedient, and most humble servant,

JAMES BOWDOIN.

To the Right Honourable }
The Earl of Hillsborough. }

In COUNCIL, *June* 8, 1769. The General Court sitting.

ON a motion made by the honourable John Hill, Esq; and seconded by divers members of the Board, that as he had been acquainted a letter had been written by the major part of the members of the last year's Council to the Right Honourable the

N 2

Earl

Earl of *Hillsborough*, occasioned by their having received authenticated copies of six letters of his Excellency Governor Bernard, he moved that the said letters might be laid before the Board. The letters were laid before the Board accordingly, and the following vote passed, viz.

THERE having been laid before the Board copy of a letter to the Right Honourable the Earl of Hillsborough from the major part of the members of the Council of the last year, bearing date the 15th April last, which was written to his Lordship, with a view to remove any impressions to the disadvantage of this province, and of the Council in particular; which the six letters of his Excellency Governor Bernard to his Lordship (authenticated copies of which have been lately transmitted hither) might have occasioned; and the same having been read,

Resolved unanimously, That the Board do approve of the measures taken by the said major part of the members of the last year's Council to vindicate the conduct of the Council, and save the constitution of the province.---And as it may be necessary that some further observations be made on the said letters of Governor Bernard,

Ordered, That *Benjamin Lincoln, Nathaniel Spurbawk, Harrison Gray, Royall Tyler, and Samuel Dexter, Esqrs*; be a committee to prepare

pare a draft of a letter to his Lordship accordingly, and report the same as soon as may be.

JOHN COTTON, D. Sec.

In COUNCIL, *June 12, 1769.*

THE committee appointed the 8th instant to prepare the draft of a letter to the Right Honourable the Earl of Hillsborough, on the subject of six letters from Governor Bernard to his Lordship, reported the following draft, which being read,

Resolved unanimously, That the same be and hereby is accepted; and that *Samuel Danforth, Esq;* sign the same, as president, on behalf of the Board, and transmit it to his Lordship accordingly.

A. OLIVER, Sec.

To the Right Hon. the Earl of *Hillsborough*.

Province of MASSACHUSETTS-BAY.

MY LORD, *Boston, June 12, 1769.*

MR. Danforth, the president of the Council for the last and the present year, having communicated to this Board, a copy of a letter, dated April 15th, 1769, sent to your Lordship, subscribed by eleven gentlemen, being the major part of the members of the Council for the last year, in answer to six letters wrote to your Lordship by Governor Bernard, dated November the 1st, 5th, 12th,

12th, 14th, 30th, and December the 5th, 1768; They have unanimously *resolved*, that they approve of the measures taken by the major part of the members of the last year's Council, &c. copy of which resolves we have the honour to inclose to your Lordship.---As the Gentlemen who wrote that letter, have been so full and explicit in defending themselves and the province against the Governor's groundless and injurious charges, we have the less reason to enlarge upon such a disagreeable subject. However, my Lord, if it appears to us that there is any charge against the Council, in either of the afore-mentioned letters, to which there has either been no answer, or if mentioned, not so fully dilated upon as the nature of the offence with which the Board were charged does require; your Lordship will indulge us the freedom further to address you.

Permit us then, my Lord, with due deference to your Lordship's high rank and station, to animadvert with freedom upon some part of the Governor's afore-mentioned letters.

The Governor says in one of his letters, " The Council is under *awe* of their constituents, by the frequent removal of the friends of Government," &c. Aspersions of the like nature are several times cast upon the Council in some of his letters; which, for the sake of avoiding prolixity, we shall not repeat.

My Lord, if our fondness for a seat at the Board could possibly influence us to vote and
advise

advise contrary to the real sentiments of our hearts, the Governor's *wanton* exercise of power in his frequent negatives put upon counsellors of the best abilities, either because they differed from him in their political sentiments in some instances, or from resentment to the House of Representatives, for dropping some of his friends, would have a much greater influence upon us to fall in with his measures, than any risque we run from the honourable House in what he calls *supporting government*: It being more in the power of a Governor to remove a counsellor, than it is in the House: consequently if we had any great fondness for a seat at the Board, we should act inconsistently with our political interest to oppose the Governor in his measures. But, my Lord, we can with great truth say, that while we have had the honour to be members of his Majesty's Council, we have endeavoured to discharge a good conscience, and acted our part with uprightness and integrity, having never been awed into undue conduct, either by the House or the Governor; and the Governor's insinuations to the contrary are unkind, and without foundation; and unless we can act with the same freedom as usual, we cannot esteem it an honour to be of that body.

That the Council have appeared of late more engaged in defending the rights of the province than formerly, may be a fact, which we have no disposition to controvert: Be that

as

as it may, we beg leave to observe, that it never was so much the incumbent duty of the Council, as it was the last year, to defend the rights of the people : for upon the dissolution of the General Court, the Governor and Council are by the charter, to manage the affairs of the province ; so that the last year's Council had double duty devolved on them : Therefore it was justly expected, they should exert themselves in the defence of the civil rights and liberties of the people ; though at the same time they did, and we hope we ever shall, treat the Governor with that respect that is due to the King's Representative. And your Lordship may depend upon it, that the present Council will be as free to assert and maintain the just prerogative of the Crown, as to defend the rights of the people.

We beg leave further to observe, my Lord, that the Governor in his letter, dated November the 1st, speaking of the address to General Gage, says, " It was signed by fifteen of the Council, among whom were five who knew not enough of the town to vote for the safety of the commissioners returning, but knew enough to join in an invective against them." This observation of the Governor's was no doubt made with a design to ridicule the conduct of those Gentlemen, and to represent them as having acted an inconsistent part : but we cannot conceive by what rules of logic he can charge them with inconsistency : For,
my

my Lord, may not the gentlemen say with great propriety, as they were not inhabitants of the town of Boston, but lived a great distance from it, that they knew not enough of the temper and disposition of the town to say that it was safe for the commissioners to return; and at the same time from the evidence they had of the commissioners behaviour and conduct ever since they have been in office, join in what the Governor is pleased to call an invective against them? For our part we can see no inconsistency in their conduct; for certainly the commissioners haughty and insolent behaviour may be such, as to expose them to the resentment of the people; and yet it does not necessarily follow, that the people will offer the least insult or violence to them: they may, or they may not; and therefore as it was a matter of uncertainty, the five gentlemen might well be excused from voting in favour of the safety of the commissioners return: And the Governor's remark upon their conduct, shews rather the defect of his reasoning; than any inconsistency in them.

With a view to defeat the good ends proposed by the major part of the last year's Council in their petitions to the two Houses of Parliament, and for other unjustifiable reasons, the Governor acquaints your Lordship, that he "cannot conceive that all the persons who met at the several meetings upon the occasion of preparing the petitions, put together, amount to the number of twelve;"

O

which

which he tells your Lordship made the majority of the whole. And after insinuating that by a majority might only be meant four persons out of seven, who make a quorum of the Council ; in his postscript he gives your Lordship what he calls a list of the names of those members who passed upon the petitions ; which together make no more than eight. We persuade ourselves, my Lord, that you will not imagine, that the Council of last year endeavoured to impose on the two Houses of Parliament, by asserting their petitions to have been the doings of a major part, when in fact they were not. Who furnished the Governor with the list he mentions we cannot say, but we can take upon us to assure you, my Lord, that the names of Lincoln, Brattle, Gray, and Russell ought to have been inserted therein, they having also agreed to the petitions, who, with the eight persons in the Governor's list, made the number twelve, being as he mentions, a majority of the whole.

This information will, among a multitude of other things, serve to convince your Lordship, that Governor Bernard has spared no pains to vilify the Council, and prevent the success of their applications for the redress of the grievances which the colonies labour under ; and that he never lost sight of his favourite object, the obtaining of a Council by Mandamus from the Crown. And the Board are at a loss how to reconcile his conduct with what he declares and promises to your Lordship

ship in his letter of the 30th of November last; in which he says, " your Lordship may depend upon it that my informations have been, and shall be dictated by the spirit of truth and candour;" when there is scarcely any thing in either of his letters but what is in direct opposition to both.

It gives us the deepest concern to find by one of the resolutions passed by the Lords, and afterwards agreed to by the Commons, that the Council of this province have been censured as not exerting themselves in suppressing of riots. And we are firmly persuaded that the Council would have escaped the displeasure of the two Houses of Parliament, had it not been for the gross misrepresentations of Governor Bernard transmitted to your Lordship; which we are constrained to say we consider, not only as extremely cruel with respect to the Council, but as a high imposition on your Lordship, and even Majesty itself.

You will allow us to say, my Lord, that no Council on the continent, not even those appointed by the King, have a greater aversion to riots and disorders, nor have any of them exerted themselves more to suppress them than his Majesty's loyal subjects the Council of the Massachusetts-Bay.

Had their conduct been truly represented, instead of censure, they would have met with the highest approbation. And if those whose immediate business it is to suppress mobs and

(against whom no complaint has been exhibited by the Governor) had done their duty, some of the disorders might have been prevented.

The Council, my Lord, have now done with their observations on Governor Bernard's letters, and they doubt not your Lordship will consider what they have written in answer to his charge against the Council, as equally applicable to what has been objected against them, of the same nature, by his Excellency General Gage, in his letter to your Lordship of the 31st of October last; on which we shall only make this further remark, that the General being a stranger in the province, and but just arrived, could not possibly speak from his own knowledge; but must have received his account of the people, and of the Council in particular, from a quarter, which it is needless to point out to your Lordship.

We will not further trespass on your Lordship's patience. In truth, my Lord, our own is almost exhausted. The Council have had such repeated occasions to observe upon and lament the unkind treatment of Governor Bernard towards this people, that the subject is become extremely disagreeable to us.

We have only to add, that we apprehend it needful to acquaint your Lordship, that *Samuel White*, Esq; one of the last year's Council, dying between the time of passing
on

on the petitions above referred to, and the time of writing the letter to your Lordship of the 15th of April last, eleven at the last-mentioned time made a majority of the whole.

We have the honour to be, with great truth and regard, my Lord, your Lordship's most obedient, and most humble servants,

SAMUEL DANFORTH,
President of the Council and in their behalf.

In the House of Representatives, June 22, 1769,

ORDERED, That Mr. Otis, Mr. Pickering, Col. Ward, Capt. Thayer, Mr. Hancock, Mr. Hobson, Capt. Thomas, Capt. Sheaffe, and Mr. Saunders, be a Committee to carry the following resolve to the honourable Board.

THE House having taken into consideration certain copies of letters written by Governor Bernard to the right honourable the Earl of Hillsborough, one of his Majesty's principal Secretaries of State, dated 1st, 5th, 12th, 14th, 30th November, and December 5th, 1768. And also the copy of one letter written by his Excellency General Gage to his Lordship, dated October 31st, 1768, all which are attested by the clerk of the papers of the House of Commons, and were transmitted to his Majesty's late Council by Mr. Bollan, and at the desire of the House have been communicated by the present Council:

Council: In which letters his Majesty's loyal subjects of this colony in general, as well as his Majesty's Council, are traduced and represented in a most odious and unjust light to his Majesty's ministers: The House having also carefully read and considered the remarks, which the late as well as the present Council have made thereon, in their several letters to his Lordship, copies whereof have also been communicated at the desire of the House.

Resolved, That the House do highly approve of, and have an entire satisfaction in the zeal and attention of the late Council to the public interest, not only in thus vindicating their own character, but guarding their country from meditated ruin, by truly stating facts, and justly representing the duty and loyalty of this people at this critical time, when the Governor of the province wantonly dissolved the General Assembly, and arbitrarily refused to call another upon the repeated and dutiful petitions of the people.

T. CUSHING, Speaker.

A P P E N -

A P P E N D I X.

Containing an abstract of proceedings of the Governor and Council of the province of *Massachusetts-Bay*; and also other proceedings.

No. I.

JUNE 30, 1768.

THE Governor and twenty of the Council present: the General Court or Assembly having been just prorogued by the Governor,

ADVISED, That *William Brattle, James Bowdoin, James Russell, Thomas Flucker, and Royall Tyler*, Esqrs. be a committee to take into consideration the present state and circumstances of the province, and report as soon as may be, what they may judge proper to be laid before his Majesty respecting the same: and that it be previously submitted to the consideration of his Excellency.

JULY 7.

Mr. *Bowdoin* from the committee appointed to prepare an humble address to his Majesty, having

having reported the following draft, the same was accepted; and his Excellency was thereupon unanimously desired to transmit a fair copy of the same to his Majesty's Secretary of State, with a request, that he would be pleased to lay it before his Majesty for his most gracious consideration; and that *his Excellency be desired at the same time to recommend the prayer of the said petition.*

To the King's most Excellent MAJESTY.

The humble petition of the Council of the province of Massachusetts-Bay.

WE your Majesty's most dutiful and loyal subjects, the Council of the province of Massachusetts-Bay, deeply impressed with a sense of your paternal affection for all your subjects, even the most remote of them, and your disposition to hearken to their addresses with an intention suited to the nature of them, humbly beg leave, in behalf of your faithful subjects of the said province, to represent to your Majesty, That, &c. &c. [See the petition to the House of Commons, No. 7, with which this agrees in substance, excepting the last paragraph.]

The last paragraph of this petition, containing the prayer, runs thus-----“ With great humility we beg leave to lay this representation at your Majesty's feet, humbly praying your Majesty's favourable consideration
tion

tion of it; and that the charter rights and privileges of the people of this province may be secured to them. And if it should appear to your Majesty, that it is not for the benefit of Great Britain and her colonies (over which your paternal care is conspicuous) that any revenue should be *drawn* from the colonies, We humbly implore your Majesty's gracious recommendation to Parliament, that your American subjects may be relieved from the operation of the several acts made for that purpose, in such manner as to the wisdom of your Majesty and Parliament may seem proper."

No. 2.

JULY 27, 29.

The Governor and sixteen of the Council
present.

His Excellency laid before the Board in writing the following representation, *viz.*

HIS Excellency reminded and informed the Council, that on the 11th and 13th of June last, he informed the Board of a great riot which happened on the 10th of June, in which, among other outrages, the principal Custom-House officers were bruised and wounded and otherwise ill treated; and that in pursuance of this riot the commissioners of the customs found themselves obliged to leave the town, and take shelter on board the

P Romney

having reported the following draft, the same was accepted; and his Excellency was thereupon unanimously desired to transmit a fair copy of the same to his Majesty's Secretary of State, with a request, that he would be pleased to lay it before his Majesty for his most gracious consideration; and that *his Excellency be desired at the same time to recommend the prayer of the said petition.*

To the King's most Excellent MAJESTY.

The humble petition of the Council of the province of Massachusetts-Bay.

WE your Majesty's most dutiful and loyal subjects, the Council of the province of Massachusetts-Bay, deeply impressed with a sense of your paternal affection for all your subjects, even the most remote of them, and your disposition to hearken to their addresses with an intention suited to the nature of them, humbly beg leave, in behalf of your faithful subjects of the said province, to represent to your Majesty, That, &c. &c. [See the petition to the House of Commons, No. 7, with which this agrees in substance, excepting the last paragraph.]

The last paragraph of this petition, containing the prayer, runs thus-----“ With great humility we beg leave to lay this representation at your Majesty's feet, humbly praying your Majesty's favourable consideration
tion

tion of it; and that the charter rights and privileges of the people of this province may be secured to them. And if it should appear to your Majesty, that it is not for the benefit of Great Britain and her colonies (over which your paternal care is conspicuous) that any revenue should be *drawn* from the colonies, We humbly implore your Majesty's gracious recommendation to Parliament, that your American subjects may be relieved from the operation of the several acts made for that purpose, in such manner as to the wisdom of your Majesty and Parliament may seem proper."

No. 2.

JULY 27, 29.

The Governor and sixteen of the Council
present.

His Excellency laid before the Board in writing the following representation, *viz.*

HIS Excellency reminded and informed the Council, that on the 11th and 13th of June last, he informed the Board of a great riot which happened on the 10th of June, in which, among other outrages, the principal Custom-House officers were bruised and wounded and otherwise ill treated; and that in pursuance of this riot the commissioners of the customs found themselves obliged to leave the town, and take shelter on board the

P Romney

Romney Man of War; and his Excellency desired the advice of the Council of what should be done upon this occasion, as well to punish the perpetrators of these outrages as to preserve the peace of the town, and the authority of the civil power, and also to protect the commissioners of the customs and their officers in their persons, and in the execution of their offices, so that they might safely return to and reside in this town, where they have been stationed by the King's authority.

That after many debates on the premises, the Council were of opinion, that this matter should be acted upon by the whole General Court then sitting; and the Council undertook to originate a vote for that purpose. Whereupon the Governor, with the advice of the Council, postponed the consideration of this business in the Privy Council unto another day: That afterwards a vote for a joint committee to consider the state of the province being sent up from the House to the Board, the Board thought that would be sufficient to ground a consideration of the foregoing matters upon, and therefore having concurred in that vote they did not think proper to originate any vote of their own for that purpose; that the said joint committee, although they met several times, did nothing in the said business but make a report, which passed the Council, but did not pass the rest of the General Court, so that it has hitherto remained unacted upon, and all the purposes
aforesaid

aforesaid remain still unredressed or unprovided for.

That the Commissioners having removed from the man of war to the castle, together with their officers, still remain there under the protection of some men of war, and dare not return to the town where they have been ordered to hold their office. That it is now above six weeks since they quitted the town, and nothing has been done to provide for their safe return, and their protection in their future residence here, nor has any thing been done to punish the raisers and perpetrators of the said riots and tumults, or to preserve the peace of the town, and the support of the government and civil authority for the future.

That these things, and particularly this neglect and delay in endeavouring to remedy these disorders, will certainly be taken notice of at home by the King and Council, and probably by the Parliament. Wherefore it is become necessary for the Council to come to some determination and resolution what they can and what they will do, to remedy these disorders, and provide for the preservation of the peace of the town, and the maintenance of the authority of the government and the civil power. Wherefore the Governor having laid these matters before the Council, and received their advice to call a full Council for the consideration of them, now communicates them to the present Board,

and requires of them their full, free, and true advice, according to the duties of their office and the terms of their oaths to perform the same.

His Excellency also acquainted the Board that he had not, as he had before declared he should not, wrote to General Gage upon the late troubles. But that he had received letters from the General, acquainting him, that having received information of the disturbances at Boston, and that the commissioners of the customs had been obliged to quit the town, he had sent orders to the commanding officers at Halifax to collect all the troops there and thereabout, and hold them in readiness to embark, with a train of artillery for Boston, when they should be required by the Governor. That he had wrote to the General, and said he would inform the Council of this order, and if they advised him to require these troops, he should do so; and if they should not advise him to require them, he should not; being determined to do nothing in such a business without the advice of the Council. And the Governor accordingly asked the Board, Whether they would advise, that the Governor should, according to General Gage's offer, require troops from Halifax to support the execution of the civil power, and preserve the peace of the town.

After

After a long debate, Col. Brattle, Mr. Bowdoin, Mr. Gray, Mr. Flucker, and Mr. Ropes were appointed a committee to consider of and report an answer to the Governor's foregoing representation; and then the Board was adjourned to Friday morning, July 29, 1768. At which time the answer was reported and accepted by the Board as their answer to the said representation, and is as follows, viz.

HIS Excellency having laid before the Board a representation of some transactions relating to and in consequence of the disorders in the town of Boston on the evening of the 10th of June last, the Board think it necessary, in justice to the town and province, and in vindication of themselves, to make some observations thereon, and to give a fuller representation than is contained in the paper laid before the Board.

With regard to the disorders, it is to be observed, that they were occasioned by making a seizure (in a manner unprecedented) in the town of Boston, on the said 10th of June, a little before sun-set, when a vessel was seized by several of the officers of the customs; and immediately after, on a signal given by one of said officers, in consequence of a preconcerted plan, several armed boats from the Romney man of war took possession of her, cut her fasts, and carried her from the wharf where she lay into the harbour, along-

along-side the Romney ; which occasioned a number of people to be collected, some of whom, from the violence and unprecedentedness of the procedure with regard to the taking away of the said vessel, and the reflection thereby implied upon the inhabitants of the town, as disposed to rescue any seizure that might be made, took occasion to insult and abuse the said officers, and afterwards to break some of the windows of their dwelling-houses, and to commit other disorders. Now, though the Board have the utmost abhorrence of all such disorderly proceedings, and would by no means attempt to justify them, they are obliged to mention the occasion of them, in order to shew, that however culpable the said disorderly persons were, the officers who seized, or those by whose orders such unusual and violent measures were pursued in seizing and taking away the said vessel, were not faultless : It being highly probable, that no such disorders would have been committed, if the vessel had not been with an armed force, and with many circumstances of insult and threats, carried away from the wharf : And we believe there is no instance can be alledged of any vessel seized, or any seizure whatever in the town of Boston, being rescued out of the hands of the officers, except what took place here on the 8th of July instant, when a quantity of molasses having been seized was taken away from the officer who had charge of it : which unwarrantable procedure being

univer-

universally condemned, the molasses was very soon returned : which affords a strong evidence, that the seizure on the 10th of June, if it had been conducted in the usual manner, would have remained secure in the hands of the officers.

The day next following the said disorders, viz. the 11th of June, his Excellency called a Council and mentioned to them what had happened the preceding evening, and desired their advice what was proper to be done. The Board advised that such of their own members as were justices of the peace and qualified to act in the county of Suffolk, should, as soon as may be, make enquiry into the particular facts and report, and his Excellency appointed the said justices to meet him at his house for that purpose, on Monday morning, the 13th of June ; his Excellency thinking it necessary to be present himself at the making of the enquiry. The said justices attended accordingly : but his Excellency having received two letters from the commissioners of the customs, complaining that no notice had been taken of the late disturbances in Boston, and grossly reflecting on the Governor and Council, summoned a Council, and laid said letters before them ; and at the same Council postponed the enquiry aforesaid. The Board thought the letter, containing the reflections, intitled to some animadversions ; but the letter not being left with the Board, put
it

it out of their power to do themselves justice. At the same time, on his Excellency's proposing to enter into the consideration of means for preventing any future disturbances, the Board apprehending that as the General Court was sitting, those means would have a more forcible effect, and better answer the end, if the whole Court joined in them, proposed to raise a committee of the Board in their legislative capacity to join with a committee of the House of Representatives, to consider of the matter; and that the consideration of it by them, as of Council to the Governor, be postponed till the effect of such a proposal should be known. The Board accordingly on the said 13th, in their legislative capacity, took up the affair, and while they were considering it, a vote was sent from the House, ordering a committee to be joined by such as the Board should appoint, to enquire into the state of the province, and report: which order, including in it the consideration of the means for preventing any future disturbances, the proposal aforesaid, on the part of the Board, was of course rendered unnecessary.

A committee was joined, and the next day, viz. on the 14th, made a report of divers resolves to be passed by the General Court. The report was ordered by the Board to be considered on the 15th, and then, after a debate, to be further considered on the 16th, when the Board was given to understand by
several

several of its members that it was intimated to them, by the Governor, that it would be expedient to postpone the consideration of the said report, till his Excellency should send a message to the House on the subject of dispatches he had then just received from England. It was postponed accordingly.

On the 21st, the said message was read to the Board, by which it appeared, there was something further to be expected, and of a more extraordinary nature, and which was not communicated till the 24th, when it appeared, to the astonishment of the Board, that the General Court was threatened with dissolution, pursuant to the Earl of Hillsborough's letter to the Governor, dated April 22, 1768. The expectation of these messages, and the extraordinary nature of them, when known, occasioned that the said report was not fully passed on till the 29th, when it was delivered to one of the members of the Board to be carried to the House; but the House were then adjourned, and the next day the House being so closely engaged in business could not receive it; and on that day, viz. the 30th, the Governor prorogued the General Court, and on the next succeeding day dissolved it: which prorogation and dissolution, if his Excellency could have postponed a short time, the House could have passed on the said report: but they were prevented doing it, as well as other necessary
 Q business.

business, by the said prorogation ; which his Excellency thought himself obliged to make.

The Board apprehend from this detail of facts, it will not appear they are chargeable with any neglect or delay in providing against future disturbances ; at least to the time of the dissolution of the General Court. And with regard to the time that has since elapsed, the Board have always attended his Excellency's summons, and are now ready at the first call for that purpose, since the dissolution, to do every thing in their power to prevent future disturbances : and they are very glad they have this opportunity of declaring, that no disturbances have happened here since the 10th of June last, notwithstanding some appearances, which it is probable have been magnified into riot and tumult. And with regard to what happened on the 10th of June, it seems to have sprung wholly from the persons who complain of it, by the plan laid, and the orders given for making the seizures aforesaid, and carrying it away by an armed force. Which circumstances, together with the time of day of seizing the vessel, it being then near sun-set, makes it seem probable that an uproar was hoped for, and intended to be occasioned by the manner of proceeding in making the seizure.

Having stated the facts as relative to the conduct of the Board, the Board now proceed to make a few observations on one paragraph of the Governor's representation
afore-

aforesaid. But it is to be previously observed, that the Council-Book, in the entry of the proceedings of Council on the 11th and 13th of June, shews the particular matters laid before them for their consideration and advice; which were the disorders that had taken place on the evening of the 10th of June, to the disturbance of the public peace; and the means of preventing any future disturbances: and these, and only these, were the objects of the contemplation of the Board in their proceedings referred to above.

In the said paragraph his Excellency mentions that the commissioners having removed from the man of war to the Castle, still remain there under the protection of some men of war; and that it is above six weeks since they quitted the town.

On which the Board observe, that the commissioners were not obliged to quit the town; that there never had been any insult offered to them; that their quitting the town was a voluntary act of their own; that we do not apprehend there was any sufficient ground for their quitting it; and that when they had quitted it, and were at the Castle, there was no occasion for men of war to protect them.

With regard to the men of war posted in the harbour, the town look upon it as a grievance in a double respect: their trade is by that means under discouragement; and what they regret infinitely more is, the reflection implied thereby upon their loyalty to their Sovereign, who has not in his wide extended dominions any subjects more faithful than in

the town of Boston, and in this province in general.

If the commissioners have procured the said men of war to be posted here; and especially if they have endeavoured to procure troops to be sent hither, both which are the universal apprehension, it cannot be thought strange that the people of this province can entertain no affection for them.

The Board greatly regret that any occasion has been given for riots and disorders, and still more regret that they should happen on any occasion; and they take this opportunity to declare their utter abhorrence and detestation of them: and for the punishing the perpetrators of them the Board advise, That his Excellency direct the Attorney-General to prosecute all persons guilty of the riots and disorders aforesaid, or that any way aided or abetted the same,

And for preserving the peace of the town and the authority of the civil power; and for the protection of all his Majesty's subjects whatever, further advise,

That his Excellency issue a proclamation that the laws for preventing, suppressing and punishing all riots, tumults and unlawful assemblies be put into immediate execution, and all civil officers be strictly enjoined to do their duty for that purpose. And the Board assure his Excellency they will use their utmost influence to procure the due execution of the laws: the vigorous execution of which will be

be sufficient to preserve the peace and authority of the government.

With regard to what his Excellency mentions on the subject of troops, and to his question " Whether the Board would advise that the Governor should, according to General Gage's offer, require troops from Halifax to support the execution of the civil power and preserve the peace of the town,"

The Board answer, that the civil power does not need the support of troops ; and that it is not for his Majesty's service nor the peace of this province that any troops be required, or that any come into the province, and therefore they unanimously advise, That the Governor do not require any troops.

The Board being fully assured * that his Excellency has not wrote for troops, take this opportunity to express that assurance : and at the same time to declare that if any persons have made application to General Gage for troops to be sent hither, we deem them in the highest degree unfriendly to the peace and good order of government, as well as to his Majesty's service and the British interest in America.

Boston, July 29, 1768.

The foregoing answer was unanimously agreed to by the Council : and thereupon it was ordered by the Governor, That the Secretary prepare a proclamation for the purposes therein mentioned ; [which was published accordingly] and that the Attorney-General prosecute all persons guilty of the riots

* By the Governor's Declaration,

riots and disorders on the 10th of June aforesaid, or that any way aided or abetted the same.

No. 3.

SEPTEMBER 23.

At an Adjournment.

MR. Bowdoin, Mr. Gray, and Mr. Tyler, pursuant to the appointment of the Council yesterday, reported to the Board an answer to his Excellency's proposal for the accommodation of the troops; which answer being considered and amended is agreed to by the Board.

The Board was informed, by the Secretary, that the weather being stormy the Governor could not be in town to-day, and desires they will meet him at the Province-House tomorrow ten o'clock, A. M. to which time he adjourned the Board.

Saturday, September, 24, 1768. The weather continuing stormy his Excellency did not come to town till the afternoon, when the Council waited upon him with their answer.

An alteration being proposed by the Governor in the said answer, the Council would have then considered it, but it was at his motion agreed by the Council to meet Monday morning nine o'clock the 26th instant to consider it; and his Excellency informed the Council that their Answer might then be given to the Secretary to be delivered to him without any further meeting with him thereon.

September

September 26. A. M. The Council met and agreed to the alteration ; and then delivered the said answer to the Deputy-Secretary, the Secretary himself not being at his office.

The A N S W E R follows.

THE Board have taken into their further consideration General Gage's letter, and the extract from Lord Hillsborough's letter communicated by his Excellency on the 19th instant, relative to the reception and accommodation of the troops in the said letter and extract mentioned, and have also considered his Excellency's proposal of the 22d instant relating to the Manufactory-House in Boston, that they would authorize him to take measures for fitting up the said building for the reception of so many of the said troops as it will conveniently accommodate. They have also attentively considered the act of Parliament, providing among other things, for the quartering and billeting the said troops, and they find that the civil officers in the said act mentioned, and no others, are thereby empowered and " required to quarter and billet the officers " and soldiers in his Majesty's service in " the barracks provided in the Colonies ; " and if there shall not be sufficient room " in the said barracks for the officers and " soldiers, *then and in such case only* to quarter and billet the residue" of them in such manner

manner as in the said act is further and very particularly directed. Now it appears by this paragraph of the said act, that in any colony where there are barracks, the said officers and soldiers in his Majesty's service shall be quartered and billeted in such barracks, and in no other place, unless there shall not be sufficient room in the barracks. With respect to this colony, the government of it in the beginning of the late war by their order, caused barracks to be built at Castle-William, for the very purpose of accommodating his Majesty's troops whenever it should be necessary for them to come hither : under which order the Governor and Council are authorized to provide quarters in the said barracks for such troops ; and those barracks are sufficient to accommodate one thousand men, which number it is said the two regiments ordered from Halifax will not exceed : those regiments therefore which are the first expected, the said act of Parliament requires to be quartered in the said barracks.

General Gage however in his letter aforesaid mentions that one of the said regiments is ordered for the present to Castle-William, the other to the town of Boston : but it will be no disrespect to the General to say that no order whatsoever coming from a less authority than his Majesty and Parliament, can supersede an act of Parliament. And it is plain the General had no intention that the said order should, as he concludes his letter
by

by desiring the Governor to see that the said troops are provided with quarters on their arrival in this government as by law directed. The said act also provides, " that if any
 " military officer shall take upon himself to
 " quarter soldiers in any of his Majesty's do-
 " minions in America, otherwise than is li-
 " mited and allowed by this act, or shall use
 " or offer any menace or compulsion, &c.
 " he shall be *ipso facto* cashiered and be ut-
 " terly disabled to have or hold any military
 " employment in his Majesty's service." His Excellency therefore, as the Board apprehend, must clearly see by examining the said act that it is not in the power of the Board to provide quarters for the said regiments as destined, till the barracks at Castle-William and the inns, livery stables and other houses mentioned in the said act shall be full ; (in which, and no other case, and upon no other account, it shall and may be lawful for " the Governor and Council" to take the measures they are directed to by the said act for the reception of his Majesty's forces) nor of consequence to authorize his Excellency to take measures for fitting up the Manufactory-House agreeable to his proposal.

The quartering of troops in the body of the town before the barracks are full, is not only contrary to the act of Parliament, but would be inconsistent with the peace of the town, whose peace and welfare, as also the peace and welfare of the province in general,

It is the duty, interest and inclination of the Board to promote, and which, in every way consistent with law, they will endeavour to promote to the utmost of their ability.

As the board on the 19th instant when the letters above-mentioned were first communicated to them, advised that his Excellency give proper orders for the accommodation of one of the Halifax regiments in the barracks at Castle-William, so they now further advise that his Excellency give like orders for the accommodation of the other Halifax regiment in the said barracks.

With regard to the two regiments ordered from Ireland to Boston, the Board doubt not that provision will be made for their accommodation agreeable to the act aforesaid.

That the board might be better able to give their advice in regard to the regiments ordered hither, they thought it necessary that the whole of Lord Hillsborough's letter, so far as it related to the said regiments, and to the occasion and design of their coming, should be communicated to them, and they accordingly desired his Excellency to communicate it. But though his Excellency was pleased to tell them he should very probably lay the whole of it before the Board in such parcels and at such times as he thought proper, yet as they apprehend the propriety of their own conduct, in a great measure, depends on the communication of the whole of it together, they again request his Excellency to favour them with it.

With

With regard to the occasion of the said Regiments being ordered to Boston, his Excellency on being asked, informed the Board that he apprehended the Halifax Regiments were ordered hither in consequence of the Riots in March last, and the two Irish Regiments in consequence of that of the 10th of June last. On which the Board are obliged to observe, that they are fully persuaded his Majesty's ministers could never have judged it either necessary or expedient to go into such extraordinary Measures, as those of sending Troops hither, unless in the Representations made from hence by some ill-minded Persons, the said Riots had been greatly magnified and exaggerated.

With respect to what happened on the 18th of March, which was a day of Rejoicing, and on such Days Disorders are not uncommon in populous Places, it was too inconsiderable to make it a subject of Representation, and could not have been made the subject of so injurious an one, but by Persons disposed to bring Misery and Distress upon the Town and Province.

In regard to the Riot of the 10th of June, of which the Board have repeatedly expressed their Abhorrence, and have advised that the Perpetrators of it should be Prosecuted by the Attorney-General, the Board have in their Answer to his Excellency's Representation, laid before them the 27th of July last, given a just Account of the occasion

R

of

of that Riot ; and as they apprehend it necessary that the said Account, together with all the proceedings at that Time, should be made public, they again desire his Excellency will order the said Representation and Answer to be printed as soon as may be in the public News-Papers *.

NUMBER IV.

SEPTEMBER 29.

At a Council held at *Castle-William*.

The Governor, and Twelve of the Council
present.

ON Lieut. Col. Dalrymple's Requisition for quarters for one of the Regiments in the Town of Boston, the Governor desired that the board would reconsider the Proposal he had before made to them of fitting up the Manufactory-House as Barracks for the Reception of Col. Dalrymple's Regiment, which is the Regiment destined for the Town, in Case it can be done at the Expence of the Crown : and in Case they should adhere to their former Resolutions, that they would assign the Reasons therefore.

* This repeated Desire the Governor disregarded.

To

To which the Board made the following
R E P L Y.

TH E Board having already considered the Proposal of fitting up the Manufactory-House as Barracks, and his Excellency having, on Application made to him this Day in Council, refused them an Opportunity of giving any fuller answer than what they have already given to the said Proposal, unless done in Council, are under a Necessity (saving however the Right of the Board in all Cases in their own Way and Manner, to make Answer to any Proposal made to them) of referring his Excellency to the Answer already given as aforesaid; and with which they waited upon his Excellency on the 24th Instant.

And whereas by the Act of Parliament relative to the providing Quarters for the Troops, the Quartering of them before the Barracks and Public Houses are full, is only cognizable by the Civil Officers in the said Act mentioned, the Board apprehend Col. Dalrymple ought by the said Act, first to apply to the Magistrates and Civil Officers of the Town of Boston, to provide such Quarters.

NUMBER V.

OCTOBER 3.

HIS Excellency communicated to the Board a Letter from Lieut. Col. Dalrymple, acquainting him that he had received Orders by Express from General Gage, to land the two Regiments from Halifax at Boston, and that he was under a Necessity of demanding Quarters for them there ; and desiring that Fuel, Straw, and the other Articles directed to be provided for the Troops, may be got in Readiness.

Col. Dalrymple and Capt. Smith desiring to be admitted before the Board came to a Determination, they were admitted accordingly ; when Col. Dalrymple took occasion to explain the Intention of his Requisition, viz. That as the Board could not think themselves authoris'd to provide Barracks in the Town, inasmuch as Barracks have already been provided by the Government at Castle-William, he had encamped some of his Troops, and was providing Barracks for the rest in the Town, so that he considered them all as in Barracks, and demanded Barrack Provisions accordingly, agreeable to Act of Parliament.

Whereupon

Whereupon his Excellency moved to the Board, that they would appoint some suitable Person or Persons to make such Provision.

On Wednesday October 5, A. M. to which Time the Board was adjourned, the following Answer was given to his Excellency.

ADVISED, That agreeable to his Excellency's Motion, one or more Person or Persons be authorized and appointed to furnish and supply the Officers and Soldiers put and placed in the Barracks, with Fire, Candles, &c. as particularly mentioned in the Act of Parliament : Provided the Person or Persons so to be authorized and appointed, will take the risk of the Province's paying to him or them all such Sum or Sums of Money, so by them paid, laid out or expended for the Purpose aforesaid.

And inasmuch as the Board in Col. Dalrymple's Letter aforesaid, dated the 30th ult. and before his coming to Town, observed a Suggestion, that a bad Spirit prevailed here ; and that in consequence of it General Gage had been induced to order both Regiments to be landed in the Town : but as Col. Dalrymple must before this time have had the fullest evidence that no such Spirit is prevalent ; and that the Town is in a state perfectly peaceful and quiet, the Board doubt not of his Justice to represent it to the General accordingly ; which they cannot but apprehend will procure from the General a
re-call

re-call of his last Order; and that agreeable to his Letter to Governor Bernard of the 12th ult. one at least of the said Regiments will be again ordered to Castle-William.

The Board also persuade themselves, that the same Reason will induce the General to order the Irish Regiments to Nova-Scotia, or to some other Parts where his Majesty's Service may require them.

The board desire the Governor to send by the Post To-morrow, a Copy of this Minute of Council to General Gage, with such Representation as his Excellency shall think proper, to induce the General to give such Orders, as will relieve the Town and Province from their present Anxiety and Distress.

His Excellency nominated Joseph Goldthwait, jun. Esq; to be Commissary for the Purpose above-mentioned, and he was appointed accordingly.

What follows was not done in Council.

N U M B E R VI.

O C T O B E R 27.

A Number of the Council met and unanimously agreed on an Address to General Gage: and the next Day at their Desire it was presented to him by Mr. Bowdoin, Col. Sparhawk, Mr. Gray and Mr. Pitts.—It here follows.

To

*To his Excellency General GAGE, Commander
in Chief of his Majesty's Forces in America.*

The ADDRESS of the Subscribers, Members of his Majesty's Council of the Province of *Massachusetts-Bay* :

S I R,

A General Council being held Yesterday gives the distant Members of it, together with the Members in the Town and Neighbourhood, the Pleasure of addressing you.—We take this first opportunity of doing it ; and at the same time to pay our compliments to your Excellency.

In this time of public distress, when the General Court of the Province is in a state of dissolution ; when the Metropolis is possessed by Troops, and surrounded by Ships of War ; and when more Troops are daily expected, it affords a general satisfaction that your Excellency has visited the Province, and has now an opportunity of knowing the state of it by your own observation and enquiry.

Your own observation will give you the fullest evidence, that the Town and Province are in a peaceful state.—Your own enquiry will satisfy you, that tho' there have been disorders in the Town of Boston, some of them did not merit notice ; and that such as did, have been magnified beyond the truth.
Those

Those of the 18th of March and 10th of June are said to have occasioned the above-mentioned armament to be ordered hither.— The first was trivial, and could not have been noticed to the disadvantage of the Town, but by persons inimical to it; especially as it happened in the evening of a day of recreation. The other was criminal, and the actors in it were guilty of a riot: but we are obliged to say, it had its rise from those persons who were loudest in their complaints about it, and who by their overcharged representations of it have been the occasion of so great an armament being ordered hither. We cannot persuade ourselves to believe they have sufficient evidence to support such representations; which have most unjustly brought into question the loyalty of as loyal a people as any in his Majesty's dominions.

This misfortune has arisen from the accusation of interested men, whose avarice having smothered in their breasts every sentiment of humanity towards this Province, has impelled them to oppress it to the utmost of their power; and by the consequences of that oppression essentially to injure Great-Britain.

From the candor of your Excellency's sentiments we assure ourselves you will not entertain any apprehensions, that we mean to justify the disorders and riotous proceedings that have taken place in the Town of Boston. We detest them, and have repeatedly and publicly expressed that detestation; and in
Council

Council have advised Governor Bernard to order the Attorney-General to prosecute the perpetrators of them : but at the same time we are obliged to declare in justice to the Town, that the disorders of the 10th of June last, occasioned by a seizure made by the Officers of the Customs, appear to have originated with those who ordered the seizure to be made. The hour of making the seizure (at or near sun-set) the threats and armed force used in it, the forcibly carrying the vessel away, and all in a manner unprecedented, and calculated to irritate, justify the apprehension that the seizure was accompanied with these extraordinary circumstances in order to excite a riot, and furnish a plausible pretence for requesting Troops.—A day or two after the riot, and as if in prosecution of the last-mentioned purpose, notwithstanding there was not the least insult offered to the Commissioners of the Customs, either in their persons or property, they thought fit to retire, on the pretence of security to themselves, on board the Romney man of war, and afterwards to Castle-William ; and when there, to keep up the idea of their being still in great hazard, procured the Romney and several other vessels of war to be so stationed as to prevent an attack upon the Castle : which they affected to be afraid of.

These proceedings have doubtless taken place to induce a belief among the officers of the navy and army, as they occasionally

S

came

came hither, that the Commissioners were in danger of being attacked, and to procure from those officers representations coincident with their own, that they really were so. But their frequent landing on the Main, and making excursions into the country, where it would have been easy to have seized, if any injury had been intended them, demonstrates the insincerity of their declarations, that they immured themselves at the Castle for safety. This is rather to be accounted for, as being an essential part of the concerted plan for procuring Troops to be quartered here: in which they and their coadjutors have succeeded to their wish: but unhappily to the mutual detriment and uneasiness of both countries.

We thought it absolutely necessary, and our duty to the Town and Province required us, to give your Excellency this detail, that you might know the sentiments of this people, and that they think themselves injured, and injured by men to whom they have done no injury.—From the justice of your Excellency, we assure ourselves your mind will not admit of impressions to their disadvantage from persons who have done the injury.

Your Excellency in your letter to Governor Bernard, of the 12th of September, gave notice that one of the regiments from Halifax was ordered for the present to Castle-William, and the other to the Town; but you
was

was pleased afterwards to order both of them into the Town.

If your Excellency when you know the true state of the Town, which we can assure you is quite peaceable, shall think his Majesty's service does not require those regiments to continue in the Town, it will be a great ease and satisfaction to the inhabitants, if you will please to order them to Castle-William, where commodious barracks are provided for their reception ; or to Point Shirley, in the neighbourhood of it : in either of which or in both they can be well accommodated.

As to the two regiments expected here from Ireland, it appears by Lord Hillsborough's letter of the 30th of July, they were intended for a different part of North-America.

If your Excellency shall think it not inconsistent with his Majesty's service that they should be sent to the place of their first destination, it will contribute to the ease and happiness of the town and province, if they might be ordered thither.

As we are true and faithful subjects of his Majesty, have an affectionate regard for the Mother country, and a tender feeling for our own, our duty to each of them make us wish, and we earnestly beg your Excellency to make a full enquiry into the disorders above-mentioned ; into the causes of them and the representations that have

made about them; in doing which your Excellency will easily discover who are the persons that from lucrative views have combined against the peace of this town and province: Some of whom it is probable have discovered themselves already by their own letters to your Excellency.

In making the enquiry, tho' many imprudences and some criminal proceedings may be found to have taken place, we are persuaded from the candor, generosity and justice that distinguish your character; your Excellency will not charge the doings of a few individuals, and those of an inferior sort, upon the Town and Province. And with regard to those individuals, if any circumstances shall appear justly to extenuate the criminality of their proceedings, your Excellency will let them have their effect.—On the same candor, generosity and justice we can rely, that your Excellency's representations of this affair to his Majesty's ministers will be such, as even the criminals themselves shall allow to be just.

*Harrison Gray,
James Russell,
John Bradbury
Royal Tyler,
Samuel White,
James Pitts,
Samuel Dexter.*

Boston, October 27, 1768.

*Samuel Danforth,
John Hill,
Isaac Royall,
John Erving,
James Bowdoin,
Gam. Bradford,
Thomas Hubbard,
Nath. Sparhawk,*

To

To the foregoing Address the General gave the following Answer.

To the Honourable Messieurs *Danforth, Hill, Royal, Erving, Bowdoin, Bradford, Hubbard, Sparhawk, Gray, Russell, Bradbury, Tyler, White, Pitts, and Dexter,* Members of his Majesty's Council of the Province of *Massachusetts-Bay.*

GENTLEMEN,

I Return you thanks for the honor you do me in this Address, and am greatly obliged to you for the good opinion you are pleased to conceive of me.

Whatever may have been the particular causes of the Disturbances, and Riots, which have happened in the Town of Boston, those Riots, and the Resolves which were published, have induced his Majesty to order four Regiments to this town, to protect his loyal subjects, in their persons, and properties, and to assist the civil magistrates in the execution of the laws.

The discipline and order which will be preserved amongst the Troops, I trust, will render their stay, in no shape distressful to his Majesty's dutiful subjects in this town; and that the future behaviour of the people, will justify the best construction of their past actions, which I flatter myself will be such, as to afford me a sufficient foundation, to represent to his Majesty,
the

the propriety of withdrawing the most part of the Troops *.

THOMAS GAGE.

Boston, October 28, 1768.

NUMBER VII.

AT several Meetings of Gentlemen of the Council in November and December, 1768, Petitions to the two Houses of Parliament were agreed to by the major Part of the Council: in which Petitions they pray in the most explicit Manner, for the Repeal of the several Acts of Parliament for raising a revenue in the Colonies. This was

* The foregoing Address and Answer were sent by General Gage, to the Earl of Hillsborough, as appears by his Letter to his Lordship, dated at Boston, October 31, 1768. This Letter is totally destitute of the Candor, which People here had always connected with the General's Character. At the date of it, he had been in town about a fortnight: in which time, from his own knowledge and observation, he could not gain such an acquaintance with the character and disposition of the Council, and of the People in General, as to authorize him to say so many harsh things concerning them: which, at the same time, are as unjust, as they are harsh and precipitate. The Similitude of sentiment in this Letter, and Governor Bernard's Letters foregoing, leaves no room to doubt from whence the matter of it was furnished.

As the General thought proper to step out of his line, and had undertaken to give characters, a regard for the Public, and especially for himself, should have induced him to give such as were consistent with Truth.

done

done so explicitly to prevent the Prayer of their Petition to the King being misunderstood, by Means of what Governor Bernard wrote to Lord Hillsborough, in his Letter, dated July 16, 1768, which accompanied the said Petition.

The Petition to the House of Commons is
as follows, viz.

To the Honorable the COMMONS of
GREAT BRITAIN, in Parliament
assembled.

*The humble Petition of the major Part of his
Majesty's Council of the Province of MAS-
SACHUSETTS-BAY.*

HIS Majesty's most dutiful and loyal Subjects, the Council of the said Province, being rendered unable, by the Dissolution of the General Court, to address you in their Legislative Capacity: We, the major Part of the said Council (the other Members living too remote to join with us) beg Leave to do it on a Subject of the greatest importance, not only to this Province and the Colonies in general, but to Great-Britain in particular, and humbly to represent to this honorable House,

That the first Settlers of New-England, more attentive to Religion than worldly Emolument, planted themselves in this Country, with a View of being secure from

re-

religious Imposition, and not with any Expectations of advancing their temporal Interests, which the Nature of the Soil forbid them to indulge :

That they obtained a Patent of this Country from king Charles the First, which, tho' vacated in the unhappy Times of James the Second, revived in the present Charter of the Province, which was granted in the succeeding glorious Reign of king William and queen Mary, who by said Charter confirmed to their Subjects in this Province, divers important Rights and Privileges, particularly all such as are essential to, and constitute the peculiar Happiness of British Subjects: founded in the immutable Laws of Nature and Reason, and inseparable from the grand and ultimate End of all government, the Security and Welfare of the Subject, and which have been enjoyed till of late, without Interruption :

That from the Length and Severity of the Winters, the Inferiority of the Soil, and the great Labour necessary to subdue it, they underwent incredible Hardships :

That besides the Climate and Soil, they had to contend with a numerous and barbarous Enemy, which made frequent Inroads upon them, broke up their exterior Settlements, and several times had nearly accomplished their utter Destruction; by Means whereof they were kept in perpetual Alarms,
and

and their country made the Scene of Rapine and Slaughter:

That nothing but the most invincible Fortitude, animated by the Principles of Religion, and the warmest Attachment to that civil Liberty which the British Constitution so happily defines and secures, could have enabled them to sustain the Hardships and Distresses that came upon them by those Causes.—Nothing less could have induced them to persevere in the Settlement of a Country, from which in its best Estate they had only to expect a scanty Subsistence; and that in Consequence of their unremitted Labour:

That by this Labour, those Hardships and Distresses, they not only dearly purchased their Settlements here, but acquired an additional Title, over and above their common Claim as Men, and as British Subjects, to the Immunities and Privileges granted them by Charter, and which they have transmitted to their Children and Successors, the present Inhabitants, his Majesty's faithful Subjects of this Province.

That the present Inhabitants, tho' more happily circumstanced than their Ancestors, and though some among them, especially in the trading Towns, may live in Affluence, yet, from the Operation of the same Causes (the Length and Severity of the Winters and the Stubborness and Infertility of the Soil) are now able with all their Labour, to ob-

T

tain

tain but a comfortable, and many of them but a slender, Support for themselves and Families : Their Cloathing, of which in this cold Climate more is required than otherwise would be necessary, and which (some small Part made by themselves only excepted) is made of the Woollens and other Manufactures of Great Britain ; the other necessary Articles of Subsistence, and the yearly Taxes upon their Polls and on their Real and Personal Estates, requiring the whole or nearly the whole Produce of their Lands.

That by *their* Means his Majesty's Dominions have been enlarged, his Subjects increased, and the Trade of Great-Britain extended : All in a Degree envied by her Enemies, and unexpected by her Friends ; and all without any expence to her till the late War.

That in the late War, without recurring to the former Expeditions against Canada, to the Reduction of Nova-Scotia in Seventeen hundred and ten ; to the Preservation of it several Times since ; to the Conquest of Louisbourg with its dependent Territories in Seventeen hundred and forty-five, the Reddition of which was esteemed by France an ample equivalent for all her Conquests during on her Part a successful War, and gave Peace to Europe.—Upon his Majesty's Requisitions and the Requisitions of his Royal Grandfather, this Province in the last War yearly raised a large Body of Troops to assist
in

in Conjunction with the other Colony Troops, in reducing the French Power in America : The Expence whereof was very great, and would have been insupportable, had not Part of it been refunded by Parliament, from a Conviction of our Inability to bear the whole :

That the Loss of Men in the several Campaigns of that War was great, and to so young a country very detrimental, and could not be compensated by Grants of Parliament, and to which those Grants had no Respect :

That the Acquisition of so large a Part of America by his Majesty's Arms, though a great national Good, and greatly beneficial to the Colonies, as thereby they have been freed from the Hostilities of the French, and (in a good Measure) of the Indians that were under their influence, has in divers respects operated to the Detriment of the Colonies ; particularly by diminishing the Value of real Estates, and drawing their Inhabitants from them to settle the new acquired Territory :

That the said Acquisitions have occasioned new and increasing Demands for the Manufactures of Great-Britain, and have opened to her, Sources of Trade greatly beneficial, and continually enlarging : The Benefits of which center in herself, and which, with the extensive Territories acquired, are apprehended to be an ample Equi-

valent for all the Charges of the War in America ; and for the Expences of defending, protecting and securing the said Territories :

That this Province in particular is still in Debt on Account of the Charge incurred by the late War :

That the yearly Taxes—excepting the present Year, on which no public Tax has been yet laid, by Reason of a general Valuation of Estates through the Province, which could not be compleated before the Dissolution of the late General Assembly, but which will probably be resumed when a new Assembly shall be called—that the yearly Taxes upon the People for lessening the said Debt, though not so great as during the War, are nevertheless with more difficulty paid, by Reason of the greater Scarcity of Money :

That the Scarcity of Money in the Colonies is owing to the Balance of their Trade with Great-Britain being against them : which Balance (exclusive of the Operation of the several Acts of Parliament taxing the Colonies, by laying certain Duties for the Purpose of raising a Revenue from them) drains them of their Money, to the great Embarrassment of their Trade, the only Source of it :

That this Embarrassment is much increased by the late Regulations of Trade ; and by the Tax-Acts aforesaid, which draw immediately from Trade the Money necessary
to

to support it ; on the Support whereof the Payment of the Balance aforesaid depends :

That the said Tax-Acts operating to the Detriment of the Trade of the Colonies, must likewise operate to the Detriment of Great-Britain, by disabling the Colonists from paying the Debt due to her, and by laying them under a Necessity of using less of her Manufactures :

That by the Use and Consumption of the Manufactures of Great-Britain, which are virtually charged with most of the Taxes that take Place there, the Colonies pay no inconsiderable Part of those Taxes :

That by several Acts of Parliament the Colonies are restrained from importing most of the Commodities of Europe, unless from Great-Britain : which occasions her Manufactures and all Commodities coming from her to be dearer charged, which is equivalent to a Tax upon them.

That the Colonies are prohibited sending to foreign Markets many valuable Articles of their produce ; which giving to Great-Britain an Advantage in the Price of them, is a proportionable and a further Tax upon the Colonies :

That the Exports of the Colonies, all their Gold and Silver, and their whole Powers of Remittance, fall short of the charged Value of what they import from Great-Britain :

That if it be considered what Difficulties the Colonies encountred on their first Settlement, their having defended themselves
(Nova-

(Nova-Scotia and Georgia excepted) without any Expence to Great-Britain ; the Assistances given by them in the late War, whereby the Empire of Great-Britain is so greatly extended, and its Trade proportionably increased ; the Diminution of the Value of their Estates, and the Emigration of their Inhabitants occasioned by that Extension, the Loss of Men in the said War, peculiarly detrimental to young Countries ; the Taxes on them to support their own internal Government ; the Share they pay of the Duties and Taxes in Britain by the Consumption of British Manufactures, for which such valuable Returns are made ; the Restraints upon their Trade, equivalent to a Tax ; the Balance of Trade continually against them, and their consequent Inability to pay the Duties laid by the Acts aforesaid.——If these Facts be considered, we humbly conceive it must appear, that his Majesty's Subjects in the Colonies have been, and are at least as much burthened as those in Great-Britain ; and that they are, whilst in America, more advantageous to Britain, than if they were transplanted thither, and subjected to all the Duties and Taxes paid there :

We beg Leave to lay this Representation before this honourable House, humbly praying your favourable Consideration of it ; and that the Charter Rights and Privileges of the People of this Province, and their invaluable Liberties as British Subjects, may be secured

secured to them ; and that the several Acts of Parliament made for the Purpose of raising a Revenue in America, may be repealed.

In the Name of the major Part of the Council aforesaid,

(Signed) SAMUEL DANFORTH,
President of the Council.

N U M B E R VIII.

The DECLARATION of the Overseers of the Poor of the Town of *Boston*, viz.

HIS Excellency Governor Bernard having been pleased in his Letter to the Right Honourable the Earl of Hillsborough, one of his Majesty's principal Secretaries of State, dated November the 1st, 1768, to inform his Lordship, That " when the Report of
" Troops coming here was first confirmed,
" all Kinds of People were thrust into this
" Building, (viz. the Manufactory House
" in this Town) and the Work-House it-
" self was opened, and the People confined
" there were permitted to go into the Ma-
" nufactory House." And the Governor adds that, " this was admitted to be true in
" Council by one of the Board who is an
" Overseer of the Poor, and a Principal
" therein."

His

His Excellency is further pleased to say,
 “ Thus this Building belonging to the Go-
 “ vernment, and assigned by the Governor
 “ and Council for his Majesty’s Use, is kept
 “ filled with the Outcast of the Work-
 “ House, and the Scum of the Town, to
 “ prevent its being used for the Accommo-
 “ dation of the King’s Troops.”

It is incumbent on us who were then the Overseers of the Poor of the Town, to whose Care and Government the Work-House is by Law committed, as well in Justice to our own Character, as from a Regard to Truth to declare, That it never was our Practice, nor did we ever in any Instance set open the Work-House Doors for a general Release.—That the Manufactory-House is a Building which we in our Office had no manner of Concern with, and we never did permit Persons confined in the Work-House to go into the same or even connive at it.—On the contrary, by Virtue of the Authority vested in us by the Laws of the Province to order and confine idle and dissolute Persons to the Work-House, we have taken sundry Persons of such Character from the Manufactory-House and confined them in the Work-House. That particularly in the Months of January and February 1768, several Persons were removed from thence to the Work-House, who were positively prohibited returning to the Manufactory-House, and they were finally released upon
 exprefs

express Condition of their finding other Habitation.

And further, We declare that in the Dismission of any Person from the Work-House, we never had it in Contemplation that they should return to the Manufactory-House, more especially with a View of preventing the King's Troops from being accommodated there; as we never could conceive such a Building would be assigned for that Purpose.

Workhouse-Hall, Boston, April 15, 1769.

<i>Joseph Waldo,</i>	<i>John Barrett,</i>	} Overseers of the Poor for the Year 1768.
<i>John Leverett,</i>	<i>Royal Tyler,</i>	
<i>John Gore,</i>	<i>Benjamin Dolbears,</i>	
<i>Samuel Partridge,</i>	<i>William Whitwell,</i>	
<i>Thomas Tyler,</i>	<i>William Greenleaf,</i>	
<i>John Bradford,</i>	<i>William White,</i>	

Suffolk, ff. Boston, April 15, 1769.

THEN the above-named *John Barrett, Esq;* the Honorable *Royal Tyler, Esq;* Mr. *Benjamin Dolbeare,* Mr. *William Whitwell,* Mr. *William Greenleaf,* *William White, Esq;* Mr. *Joseph Waldo,* *John Leverett, Esq;* *John Gore, Esq;* Mr. *Samuel Partridge,* *Thomas Tyler, Esq;* and Mr. *John Bradford,* severally made solemn Oath to the Truth of the within and foregoing Declaration, subscribed by them,

Before us,	<i>John Ruddock,</i>	} Justices of the Peace <i>Quorum Unus.</i>
	<i>Belcher Noyes,</i>	
	U	Mr.

Mr. BOLLAN's Petition to the House of
Commons.

A Copy of this Petition was received from Mr. Bollan, with the Copies of Governor Bernard's Letters foregoing. The Resolutions, on which the said Petition is grounded, and in which the Council and House of Representatives of this Province are unjustly censured, were occasioned by the Misrepresentations of the said Governor. As the Petition is upon a Matter of great Importance to all his Majesty's Subjects in America, and has some relation to the Subject of the foregoing Letters, it is here inserted.

To the Honorable the Commons of Great-Britain in Parliament assembled.

The Petition of WILLIAM BOLLAN, of Boston, in the Province of Massachusetts-Bay, Esq;

Most humbly shews,

I. **T**HAT the Right Honorable the Lords spiritual and temporal having sent to this Hon. House certain resolutions, with an address to his Majesty, for their concurrence, by which resolutions their Lordships have censured the council and representatives of the said province, and the
civil

civil magistrates of Boston, for several causes, and the address supposes that the subjects of our Lord the King, born and resident in his colonies in America, and his Majesty's other subjects living there, are liable to be taken from their proper domicil, and brought into England, and there tried for treason, or misprision of treason presumed to have been by them committed in any of the colonies, your petitioner, with all due reverence to their Lordships and this honorable House, conceives this supposition is erroneous and subversive of the true constitution of the colonies, formed by the acta regia of several Princes, upon the advice of able counsellors and great lawyers, and corroborated by several acts of parliament.

II. That the resolutions or address contain no express charge or mention of any certain treason, with an overt act manifesting it, committed, or presumed to have been committed within the province of Massachusetts-Bay, as the proper foundation of the subsequent proceedings in the address mentioned.

III. That the law having with great wisdom distinguished offences, and given them several names suitable to their respective natures, and the safety of the subject, requiring precision in all proceedings in criminal cases, your petitioner humbly conceives these distinctions are ever to be observed with

certainty, and more especially in proceedings of so great importance.

IV. That at common law there was a great latitude used in raising of offences into the crime and punishment of treason, by way of interpretation and arbitrary construction, which brought in great inconvenience and uncertainty; so that before the statute of 25 Edw. III. the crime of treason was so uncertain and arbitrary, that almost every offence that was, or seemed to be a breach of the faith and allegiance due to the King, was by construction and consequence raised into the offence of high treason; wherefore it became absolutely necessary that there should be some fixed and settled boundary for this great crime, which was happily effected by that statute, which so far excels in policy and wisdom, that, save Magna Charta, "No act of parliament hath had more honour given unto it by the King, Lords spiritual and temporal, and the Commons of the realm, for the time being in full parliament than this act," hath had when sound judgment and provident foresight took place, and the departures from it in violent and improvident times have been attended with great mischiefs and dangers.

V. That in the next reign, thro' the want of due regard for this statute in the King, his Ministers, Judges and Parliaments, the great boundary of treason thereby ascertained was broken, and constructive treasons being

being let in, they, by various vicissitudes, mischieved all parties, enabled their leaders, as they alternately prevailed, to cut off their opponents, and left great unquietness in the minds of the people, and were indeed one of the occasions of the unhappiness of that misguided Prince. Among other things the King enquired of his two chief justices, and divers other judges, what punishment they deserved who had compelled or constrained the King to make a certain statute, ordination and commission; to which question they unanimously answered that they were justly to be punished as traitors. Also how they were to be punished who hindered the King from exercising what pertained to the regality and his prerogative; to which they likewise unanimously answered that they should also be punished as traitors, with several other questions and answers to the like purpose. This extravagant and extrajudicial declaration of treason by these judges gave presently an universal offence to the kingdom, for presently it bred great insecurity to all persons; and for this very cause, within the space of seven months, those judges were in parliament adjudged to suffer as traitors. Tresilian, chief justice, was executed, and the lives of the rest being spared they were banished into Ireland: and the proceedings in this reign alone suffice fully to evince, 1. The great importance of the statute of 25 Edw. III. with the utility and necessity of
strictly

strictly observing it. 2. How dangerous it is to depart from the letter of that statute, and to multiply and enhance offences into treason by general or ambiguous words, as accroaching of loyal power, subverting of fundamental laws, and the like. 3. How dangerous it is by construction and analogy to make treasons where the letter of the law has not done it; for such a method admits of no limits or bounds, but runs as far as the wit and invention of accusers, and the odiousness and detestation of persons accused will carry men.

VI. That in the reign of King Henry VIII. who in the latter part of it became arbitrary and severe, treasons were exceedingly multiplied, and his parliaments were so subservient to his mutable and violent will, that in the 31st year of his reign they enacted, that the proclamations of the King and Council, or the more part of them, concerning religion, or other matters, should be obeyed as though they were made by act of parliament, under such penalties and pains as to him and them should seem necessary, and that they who disobeyed them, and went beyond sea, contemptuously to avoid answering such offence, should be guilty of treason, and in the 34th year, in further subversion of the constitution and common safety of the realm, they enacted that judgment might be given against any of the offenders by nine of the King's council. And the King, in matters which

which concerned his wives, daughters, and successors of the crown, being chiefly governed by his inclinations, and the parliament having " put in his hands wholly the " order and declaration of the successors of " the realm", by the acts made in 25th, 28th, and 35th years of his reign, several arbitrary and contradictory institutions and provisions relative to his marriages and his issue, with the disposal, and conditional limitations of the successors of the crown, were made; and in support of his various institutions numerous treasons were created. Among others it was made treason by words to derogate from several of his marriages, and words alone which should be used in prejudice to any of the manifold provisions contained in the different institutions established by the acts of the 28th and 35th years were made treason; and altho' the greatest contrarieties respecting matters the most interesting had notoriously taken place in parliament, yet the last declaration of his will was to be held sacred, and his subjects were reduced to such an abject condition, that they must either deem him infallible, tho' subject to the greatest failings, or be dumb on pain of death; wherefore it was well said by a foreigner, that this King with the papal supremacy had likewise taken to himself the papal infallibility. Immediately after passing the act of the 35th year of this King's reign, whereby the crown was provisionally

sionally limited to his daughters Mary and Elizabeth, who had before been declared illegitimate by the King and parliament, and publishing them to be the King's lawful children made treason, and who by the most plain and necessary implication, were declared illegitimate by this very act, which created so many treasons, in support of these limitations, with others, the act entitled, " an act for the trial of treasons committed out of the King's dominions," by the address supposed to extend to the colonies, was made, with intent, it is presumed, more certainly to punish those who should in Scotland, whose King, according to the usual course of descent, would, on prince Edward's death without issue, in case the Ladies Mary and Elizabeth were illegitimate, have good and clear right to the crown, or in any other foreign Prince's dominions, by word or deed oppose these limitations; and moreover, those who should offend against the immediate succeeding act, whereby the style of supreme head of the church of England and Ireland was annexed to the imperial crown of England; and it was made treason to imagine to deprive any to whom the crown was or should be limited of any of their titles, styles, names, degrees, royal estate or regal power annexed to the crown of England.

VII. That all the treasons enacted in this King's reign were abrogated by the statutes of 1st Edw. VI. and 1st Mary. The former created

created some new treasons : but the latter at one blow laid flat all those numerous treasons, misprisions, &c, enacted since 25th Edward 3d, which excellent statute, as it is called by both the chief justices Coke and Hale, contains as the former observes, two rules assuredly true; the 1st. “ That the
 “ state of a King standeth and consisteth
 “ more assured by the love and favour of
 “ the subject toward their Sovereign, than in
 “ the dread and fear of laws made with rigorous pains and extreme punishment for
 “ not obeying their Sovereign. And the
 “ other, That laws justly made for the preservation of the common weal, without
 “ extreme punishment or penalty, are more
 “ often, and for the most part better obeyed
 “ than laws and statutes made with great
 “ and extreme punishment. Mitius impetranti melius paretur.”

VIII. That no one of the present resolutions contains any matter which is treason within the statute of the 25th of Edward 3d, and for farther illustration herein your petitioner submits to this honourable house, 1. the case of Nicholas de Segrave, stated by Sir E. Coke in his pleas of the crown, with his annex'd remark, viz. “ Nicholas
 “ de Segrave was charged in open parliament in præsentia domini regis, comitum, baronum, & aliorum de consilio
 “ Regis tunc ibi existent, that the King in
 “ the war of Scotland being amongst his
 X “ enemies,

“ enemies, Nicholas de Segrave his liege
 “ man, and holding of the King by homage
 “ and fealty, served him for his aid in that
 “ war, did maliciously move contention and
 “ discord without cause with John de Cromb-
 “ well, charging him with many enormous
 “ crimes, and offer’d to prove it upon his
 “ body. To whom the said John answered,
 “ that he would answer him in the King’s
 “ court, as the court should consider, &c.
 “ and thereupon gave him his faith. After
 “ Nicholas withdrew himself from the
 “ King’s host, and from the King’s aid,
 “ leaving the King amongst his enemies; in
 “ periculo hostium suorum, and adjourned
 “ the said John to defend himself in the court
 “ of the King of France, and prefix’d him
 “ a certain day, et sic, quantum in eo fuit,
 “ subjiciens et submittens dominium regis
 “ & regni subjectioni domini regis Franciæ:
 “ ad hoc faciendum iter suum arripuit us-
 “ que Doveriam, ad transfretandum, &c.
 “ All which the said Nicholas confessed, et
 “ voluntati domini regis de alto & basso inde
 “ se submisit: et super hoc dominus rex vo-
 “ lens habere avisamentum comitum, ba-
 “ ronum, magnatum, et aliorum de consilio
 “ suo, injunxit iisdem in homagio, fide-
 “ lity, & ligeantia quibus ei tenentur, quod
 “ ipsum fideliter consulerent, qualis pœna
 “ pro tali facto sic cognito fuerit infligenda:
 “ qui omnes, habito super hoc diligenti trac-
 “ tatu & avisamento, consideratis & intellec-
 “ tis

“tis omnibus in prædicto facto contentis,
 “&c. dicunt quod hujusmodi factum mere-
 “tur amissionem vitæ & membrorum, &c.
 “so as this offence was then solemnly
 “adjudged high treason. But this is taken
 “away by this Act of 25th Edw. 3. being
 “not under any of the classes or heads spe-
 “cified in this Act.” 2. The Act 2 Hen.
 5, recites that great rumours, congregations
 and insurrections had been made by the Lol-
 lards, with intent, among other things, to
 annul and subvert the Christian faith (esta-
 blished by common and statute law) and the
 law of God, and to destroy all the estates of
 the kingdom spiritual and temporal; and al-
 so all manner of policy, and laws of the
 land finally; yet these offences were not de-
 clared or made treason. And, 3. It appears
 as “well by the articles exhibited in Parlia-
 “ment, 21 H. 5, against Cardinal Wolsey,
 “as by indictment in the King’s bench a-
 “gainst Ligham 23 H. 8. rot. 25. That the
 “Cardinal did endeavour to subvert antiquis-
 “simas leges hujus regni, universumque hoc
 “regnum Anglæ legibus imperialibus sub-
 “jugare; which although it be a charge of
 “subverting the ancient laws of the king-
 “dom, and to introduce new and arbitrary
 “laws; yet neither upon the articles or in-
 “dictment was the same imputed to be trea-
 “son; but ended in a charge of premunire.”

IX. That if none of the resolutions singly
 contain matter of treason, the result of them

all cannot make treason, for the number of offences does not change their nature, and confound their species, and the act for reversing the Earl of Strafford's attainder, contains the strongest declaration against introducing accumulative and constructive treasons.

X. That the colonists being held under the same allegiance with the people of England, the introduction of accumulative or constructive treason would, as your petitioner conceives, subvert their common safety, and shake the security of the whole Empire.

XI. That misprision of treason is not in its nature a substantive, but a vertual or consequential crime, which cannot exist without an actual treason, any more than a shadow without a substance; and if no treason or misprision appears to have existed in the Province, it is presumed the Address fails in its foundation.

XII. That the information of an offence is a thing distinct from the oath which supports it, and the fulness of information respects the matter, not the verification of it; yet it is not desired by the Address, that the information therein mentioned should be taken upon oath.

XIII. That the act of 35 Hen. 8. cap. 2. made for the trial of foreign treasons, provides that these trials shall be had before the court of King's-Bench, or before Commissioners, &c. yet the Address, with respect
to

to the trials therein mentioned, takes no notice of the court of King's-Bench, but supposes that if any trials take place, the same are to be had before special commissioners, of whom no person can at present have any certain knowledge, nor of the place where they are to be had.

XIV. That the English colonies were planted with intent to stretch out the bounds of England, with its dominion relative to the King and Subject, in subservience to which noble purpose it was by proper *acta regia* declared, that the original English colonists and their posterity, with their associates collected from other dominions of the crown of England, should enjoy all the privileges of persons native of England, in such ample manner as if they were born and resident there.

XV. That under the force and faith of these royal declarations, numerous persons, with great toil, peril, hardship, and expence of much blood and treasure, planted these colonies to the great advancement of the commerce, wealth, and naval strength of England: so that, in your petitioner's humble opinion, they have a greater claim of merit with their mother country, than any other colonies, ancient or modern; for he is persuaded that if, thro' the colonists in general, and those of Massachusetts-Bay in particular, France had not by various ways
been

been prevented, her naval power would have become superior to that of England.

XVI. That after numerous colonies, issuing from divers nations, had been settled in different parts of the world, and formed new common-wealths, by the Roman policy, approved by men of sound judgment in all ages, their colonies were continued part of the common-wealth, and used as the best means of securing and improving that empire, which they had enlarged by their policy and arms; and in this respect the modern Europeans have so notoriously imitated them, that several great modern authors, living in countries which had no colonies, when treating of the civil rights of mankind, have noted this particular, and the words of a late Prussian author may serve to declare the state of the English colonists. *Non desinunt esse cives.*

XVII. That by the letters patent issued for the settlement of the colonies their lands were, *jure proprietatis & dominii*, united with the land of England, the chief part of them being held as of the manor of East Greenwich, and the colonists were continued part of the family of England, the whole forming one dominion; so that altho' thro' necessity arising from their distant situation and cantonment they are in some respects divided, yet in national, federal, and political consideration, they were ever to be held
part

part of the body politic or common-wealth of England.

XVIII. That the stat. of 15 Car. 2. c. 7. contains an exprefs declaration *per verbade præfenti*, that his Majesty's plantations beyond the feas are inhabited and peopled by his fubjects of this his kingdom of England, and by the stat. of 13 Geo. 2. c. 7. it was enacted, that from the 1st day of June 1740, all perfons born out of the King's legiance, who had inhabited or fhould inhabit for the fpace of feven years or more in any of his Majesty's colonies in America, and fhould take the oaths, and make the declarations therein directed, fhould be deemed, adjudged and taken to be his Majesty's natural born fubjects of this kingdom, to all intents, conftructions and purpofes, as if they had been, or were born within this kingdom.

XIX. That the foreigners who become intled to the British right, by neceffary confequence become well intitled to the continual enjoyment of it in the place where they acquired it; and, a fortiori, the perfons born in the colonies, who are of the blood and lienage of England, have good title to the fame.

XX. That pofitive laws are frequently fhort in fome of their expreffions, and one and the fame word hath fometimes various fignifications in the fame law, as well as in different laws, having in one part a fimple,
in

in another a complex idea annexed to it, and sometimes more or less complex ideas. In acts made in the reign of Hen. 8th on great occasions the word realm signifies all the dominions held of the crown of England; but in the preamble of the aforesaid act, made for the trial of foreign treasons thereby intended to be subjected to a new mode of trial, the words, "and other his Grace's dominions" being added to the words, "out of the King's Majesty's realm of England," and this addition being dropt in the purview, it has been, as your petitioner understands, inferred, that treasons committed out of the land of England, tho' within the dominion of England, as the colonies are, may be tried in England by virtue of this statute, altho' the title, and the preamble, which is the key proper to open the meaning of it, most clearly oppose this construction. The preamble recites, that doubts had arisen respecting the trial of foreign treasons, and it is expressly declared, that "for a plain remedy, order and declaration therein to be had" this statute was made.

XXI. That the meaning of every law is the law, when collected from all the words and the subject matter of it, not forgetting the ancient rule *distinguenda sunt tempora*, which in the present case is necessary to be observed; for England had no colonies when this statute was made, wherefore the legislators

flators could not intend thereby to regulate their offences.

XXII. That the constructive extension of an act made for the trial of treasons committed out of the King's dominions to the colonies, would pro tanto put them upon the same foot with the dominions of foreign Princes, which, it is presumed, would be improper and impolitic in any case, and would greatly impair the strongest and best ligaments, their constitution and affection, whereby it is much to be desired that they should ever be firmly held in perfect union with the mother country, for their mutual safety and felicity, and would not consist with the charter of the said province, which provides that the Governor shall not transport any of the inhabitants out of it without their own consent.

XXIII. That the province of Massachusetts-Bay having no agent duly authorised to represent the same, and no General Court or Assembly, the holding whereof depends on the Governor, having been held for some time past, none could be appointed.

Your Petitioner therefore, in defence of the rights to which in common with all the inhabitants of the said province he is entitled, humbly submits the preceeding matters to the consideration of this honourable house, and humbly prays,

prays, that their concurrence in the resolutions and address may not take place, being firmly persuaded, that the same would in its operation and consequence be extremely detrimental to Great Britain as well as her Colonies.

And your Petitioner, as in duty bound, shall ever pray, &c.

W. BOLLAN.

Extract from a Letter of William Bollan, Esq; to the Honourable Samuel Danforth, Esq; dated in London, January 30, 1769.

“ **T**HE house (of Commons) was adjourned to the 19th instant, and American affairs stood appointed for consideration on the 23d, when your Petition was intended to have been presented by Mr. Beckford; but by a singular event he was prevented. On the 25th after Governor Bernard's, General Gage's and Commodore Hood's Letters (which on motion made on behalf of the Colonies had been on the 20th brought in and laid upon the Table) were read, he presented it; and on his behalf Mr. Alderman Trecothick read it, with such an audible voice, that it is supposed every member in the house clearly understood it; and being objected to, a debate ensued, wherein
the

the Petition was nobly supported by divers worthy Members. The chief objections, I am told, were, that no Council could be convened without the Governor's order; and that by the Constitution of the Colony there could be no President of the Council, unless when there was no Governor or Lieutenant Governor. In Answer whereto, I am informed, it was said, that in the present great distress of the Province no Assembly was called, and no Council convened from time to time with liberty to defend, upon the present great occasion, the rights and interests of the Province; and that the objections to your Petition, instead of being founded on the principles of natural justice, equity and the constitution of the kingdom, rested in a good measure *on the Representations of Governor Bernard.*"

F I N I S.

The Province was nobly supported by illustrious
worthy Members. The chief object of the
meeting was, that no Council could be
convened without the Governor's order; and
that by the Constitution of the Colony, there
could be no Member of the Council, unless
when there was no Governor or Lieutenant
Governor. In answer to this, I am infor-
med, it was said that in the present great
distress of the Province, it was necessary to
act, and no Council could be convened
time with liberty to elect upon the pre-
sent great occasion, the rights and interests
of the Province; and that the collection of
yearly taxes, instead of being founded on
the principles of natural justice, equity and
the constitution of the Kingdom, rested in a
good measure on the arbitrary power of the
Governor.





The Massacre perpetrated in King Street Boston on March 5th 1770, in which Mess^{rs} Sam.^l Gray, Sam.^l Maverick, James Caldwell, Crispus Attucks, Patrick Carr were Killed, six others Wounded, two of them Mortally.

K. La general title prefixed to 8/7/66 2

A SHORT
NARRATIVE
OF

The horrid Massacre in BOSTON,

PERPETRATED

In the Evening of the Fifth Day of MARCH 1770]

BY

Soldiers of the XXIXth Regiment,

Which, with the XIVth Regiment,

WERE THEN QUARTERED THERE.

WITH SOME

OBSERVATIONS

ON

THE STATE OF THINGS

PRIOR TO THAT

CATASTROPHE.

Printed by Order of the Town of BOSTON:

LONDON, Re-printed for E. and C. DILLY, in the
POULTRY; and J. ALMON, in PICCADILLY.

M.DCC.LXX.

A SHORT

NARRATIVE

OF

The Hound Man in Boston.

PERFECTED

in the Evening of the 1st of March 1872

By the Author of the "Hound Man"

THE HOUND MAN

IN BOSTON

OF THE HOUND MAN

IN BOSTON

OF THE HOUND MAN

BOSTON, ff. At a Meeting of the Freeholders and other Inhabitants of the Town of *Boston*, duly qualified and legally warned, in public Town-Meeting assembled at Faneuil-Hall, on Monday the 12th Day of March, *Anno Domini* 1770.

THAT Article in the Warrant for calling this Meeting, viz. "*What steps may be further necessary for obtaining a particular Account of all proceedings relative to the Massacre in King-Street on Monday night last, that a full and just representation may be made thereof;*" was read,

Whereupon,

VOTED, *That the Honourable James Bowdoin, Esq; Doctor Joseph Warren, and Samuel Pemberton, Esq; be a Committee for this important business; and they are desired to report as soon as may be.*

Attest.

WILLIAM COWPER, Town-Clerk.

THE following Report, containing a Narrative of the late Massacre, is submitted to the Town.

In the Name of the Committee.

JAMES BOWDOIN.

At the Town Meeting held on the 19th of March
1770, by Adjournment.

THE afore-mentioned Report was read and considered, whereupon Voted Unanimously, That the same be accepted, and that it be immediately printed, and the Committee are desired to transmit Copies thereof as soon as possible to the following Gentlemen, viz. The Right Honourable Isaac Barré, Esq; one of his Majesty's most Honourable Privy Council; Thomas Pownall, Esq; late Governor of the Massachusetts; William Bollan, Esq; Agent for his Majesty's Council; Dennis De Berdt, Esq; Agent for the House of Representatives; Benjamin Franklin, Esq; L.L.D. and Barlow Trecothick, Esq; a Member of Parliament for the City of London.

Attest.

WILLIAM COWPER, Town-Clerk,



A S H O R T
N A R R A T I V E
O F

The horrid Massacre in *Boston*,

Perpetrated in the Evening of the 5th Day of *March* 1770, by Soldiers of the 29th Regiment, which, with the 14th Regiment, were then quartered there : With some Observations on the State of Things prior to that Catastrophe.

IT may be a proper introduction to this narrative, briefly to represent the state of things for some time previous to the said massacre; and this seems necessary in order to the forming a just idea of the causes of it.

At the end of the late war, in which this Province bore so distinguished a part, a happy union subsisted between Great-Britain and the Colonies. This was unfortunately interrupted by the Stamp-Act; but it was in some measure restored by the Repeal of it. It was again interrupted by other acts of parliament for taxing America; and by the appointment of a Board of Commissioners, in pursuance of an act, which by
the

the face of it was made for the relief and encouragement of commerce, but which in its operation, it was apprehended, would have, and it has in fact had, a contrary effect. By the said act the said Commissioners were "to be resident in some convenient part of "his Majesty's dominions in America."—This must be understood to be in some part convenient for the whole.—But it does not appear, that in fixing the place of their residence, the convenience of the whole was at all consulted; for Boston being very far from the center of the colonies, could not be the place most convenient for the whole. — Judging by the act, it may seem this town was intended to be favoured, by the Commissioners being appointed to reside here; and that the consequence of that residence would be the relief and encouragement of commerce: but the reverse has been the constant and uniform effect of it; so that the commerce of the town, from the embarrassments in which it has been lately involved, is greatly reduced. For the particulars on this head, see the state of the trade not long since drawn up and transmitted to England by a committee of the merchants of Boston.

The residence of the Commissioners here has been detrimental not only to the commerce, but to the political interests of the town and province; and not only so, but we can trace from it the causes of the late horrid massacre.

Soon after their arrival here in November 1767, instead of confining themselves to the proper business of their office, they became partizans of Governor Bernard: in his political schemes, and had the weakness and temerity to infringe upon one of the most essential rights of the house of commons of this province—that of giving their votes with freedom, and not being accountable therefor but to their constituents.

ents. One of the members of that house, Captain Timothy Folger, having voted in some affair contrary to the mind of the said Commissioners, was for so doing dismissed from the office he held under them.

These proceedings of theirs, the difficulty of access to them on office-business, and a supercilious behaviour, rendered them disgustful to people in general, who in consequence thereof treated them with neglect. This probably stimulated them to resent it: and to make their resentment felt, they and their coadjutor Governor Bernard made such representations to his Majesty's ministers, as they thought best calculated to bring the displeasure of the nation upon the town and province: and in order that those representations might have the more weight, they are said to have contrived and executed plans for exciting disturbances and tumults, which otherwise would probably never have existed; and when excited, to have transmitted to the ministry the most exaggerated accounts of them.

These particulars of their conduct his Majesty's Council of this province have fully laid open in their proceeding in council, and in their address to General Gage in July and October 1768, and in their letter to Lord Hillsborough of the 15th of April 1769. — Unfortunately for us, they have been too successful in their said representations, which, in conjunction with Governor Bernard's, have occasioned his Majesty's faithful subjects of this town and province to be treated as enemies and rebels, by an invasion of the town by sea and land: to which the approaches were made with all the circumspection usual where a vigorous opposition is expected. While the town was surrounded by a considerable number of his Majesty's ships of war, two regiments landed and took possession

sion of it; and to support these, two other regiments arrived some time after from Ireland, one of which landed at Castle-Island, and the other in the town.

Thus were we, in aggravation of our other embarrassments, embarrassed with troops, forced upon us contrary to our inclination—contrary to the spirit of Magna Charta—contrary to the very letter of the Bill of Rights, in which it is declared, that the raising or keeping a standing army within the kingdom in time of peace, unless it be with the consent of parliament, is against law—and without the desire of the civil magistrates, to aid whom was the pretence for sending the troops hither; who were quartered in the town in direct violation of an act of parliament for quartering troops in America: and all this in consequence of the representations of the said Commissioners and the said Governor, as appears by their memorials and letters lately published.

As they were the procuring cause of troops being sent hither, they must therefore be the remote and a blameable cause of all the disturbances and bloodshed that have taken place in consequence of that measure.

But we shall leave them to their own reflections, after observing, that as they had some months before the arrival of the troops, under pretence of safety to their persons, retired from town to the castle; so, after the arrival of the troops, and their being quartered in the town, they thought proper to return, having answered, as they doubtless thought, the purpose of their voluntary flight.

We shall next attend to the conduct of the troops, and to some circumstances relative to them.—Governor Bernard without consulting the Council, having given up the State-house to the troops at their landing, they took possession of the chambers, where the repre-

representatives of the province and the courts of law held their meetings, and (except the council-chamber) of all other parts of that house: in which they continued a considerable time, to the great annoyance of those courts while they sat, and of the merchants and gentlemen of the town, who had always made the lower floor of it their exchange. They had a right so to do, as the property of it was in the town; but they were deprived of that right by mere power. The said Governor soon after, by every stratagem and by every method, but a forcible entry, endeavoured to get possession of the manufactory-house, to make a barrack of it for the troops; and for that purpose caused it to be besieged by the troops, and the people in it to be used very cruelly; which extraordinary proceedings created universal uneasiness, arising from the apprehension that the troops under the influence of such a man would be employed to effect the most dangerous purposes: but failing in that, other houses were procured, in which, contrary to act of parliament, he caused the troops to be quartered. After their quarters were settled, the main guard was posted at one of the said houses, directly opposite to, and not 12 yards from the State-house (where the the General Court, and all the Law Courts for the County were held) with two field pieces pointed to the State-house. This situation of the main guard and field pieces seemed to indicate an attack upon the constitution, and a defiance of law, and to be intended to affront the legislative and executive authority of the province.

The General Court, at the first Session after the arrival of the troops, viewed it in this light, and applied to Governor Bernard to cause such a nuisance to be removed; but to no purpose. Disgusted at such an indignity, and at the appearance of being under duress, they refused to do business in such circumstances,

stances, and in consequence thereof were adjourned to Cambridge, to the great inconvenience of the members.

Besides this, the challenging the inhabitants by centinels posted in all parts of the town before the lodgings of officers, which (for about six months, while it lasted) occasioned many quarrels and great uneasiness.——

Captain Wilson's of the 59th, exciting the negroes of the town to take away their masters lives and property, and repair to the army for protection, which was fully proved against him. —The attack of a party of soldiers on some of the magistrates of the town —the repeated rescues of soldiers from peace officers —the firing of a loaded musket in a public street, to the endangering a great number of peaceable inhabitants—the frequent wounding of persons by their bayonets and cutlasses, and the numerous instances of bad behaviour in the soldiery, made us early sensible, that the troops were not sent here for any benefit to the town or province, and that we had no good to expect from such conservators of the peace*.

It was not expected however, that such an outrage and massacre, as happened here on the evening of the fifth instant, would have been perpetrated. There were then killed and wounded, by a discharge of musquetry, eleven of his Majesty's subjects, viz.

Mr. Samuel Gray, killed on the spot by a ball entering his head.

* The inhabitants, instead of making application to the military officers on these occasions, chose rather to oppose the civil authority and the laws of the land to such offenders; and had not the soldiery found means to evade legal punishments, it is more than probable their insolence would have received a check, and some of the most melancholy effects of it been prevented.

Crispus Attucks, a molatto, killed on the spot, two balls entering his breast.

Mr. James Caldwell, killed on the spot, by two balls entering his back.

Mr. Samuel Maverick, a youth of 17 years of age, mortally wounded: he died the next morning.

Mr. Patrick Carr mortally wounded: he died the 14th instant.

Christopher Monk and John Clark, youths about 17 years of age, dangerously wounded; it is apprehended they will die.

Mr. Edward Payne, merchant, standing at his door, wounded.

Mess. John Green, Robert Patterson, and David Parker, all dangerously wounded.

The actors in this dreadful tragedy were a party of soldiers commanded by Captain Preston of the 29th regiment. This party, including the Captain, consisted of eight, who are all committed to gaol.

There are depositions in this affair which mention that several guns were fired at the same time from the Custom-House; before which this shocking scene was exhibited. Into this matter inquisition is now making.—In the mean time it may be proper to insert here the substance of some of those depositions.

Benjamin Frizell, on the evening of the 5th of March, having taken his station near the west-corner of the Custom-House in King-street, before and at the time of the soldiers firing their guns, declares, (among other things) that the first discharge was only of one gun, the next of two guns, upon which he the deponent thinks he saw a man stumble, the third discharge was of three guns, upon which he thinks he saw two men fall; and immediately after were discharged, five guns, two of which were by soldiers

on his right hand ; *the other three, as appeared, to the deponent, were discharged from the balcony, or the chamber window of the CUSTOM-HOUSE, the flashes appearing on the left hand, and higher than the right hand flashes appeared to be, and of which the deponent was very sensible, although his eyes were much turned to the soldiers, who were all on his right hand.*

Gillam Bass, being in King-street at the same time, declares that they (the party of soldiers from the main guard) posted themselves between the Custom-House door, and the west corner of it ; and in a few minutes began to fire upon the people : *Two or three of the flashes so high above the rest, that he the deponent verily believes they must have come from the CUSTOM-HOUSE windows.*

Jeremiah Allen declares, that in the evening of the 5th day of March current, being at about nine o' clock in the front chamber in the house occupied by Colonel Ingersoll in King-street, he heard some guns fired, which occasioned his going into the balcony of the said house—that when he was in the said balcony in company with Mr. William Molineux jun. and John Simpson, he heard the discharge of four or five guns, the flashes of which appeared to the westward of the centry-box, and immediately after, he the deponent *heard two or three more guns, and saw the flashes thereof from out of the house now called the CUSTOM-HOUSE, as they evidently appeared to him, and which he the said deponent at the same time declared to the aforesaid Molineux and Simpson, being then near him, saying to them (at the same time pointing his hand towards the Custom-House) there they are out of the Custom-House.*

George Coster, being in King-street at the time above-mentioned, declares that in five or six minutes after he stopped he heard the word of command given to the
soldiers

soldiers, *Fire*, upon which one gun was fired, which did no execution, as the deponent observed; about half a minute after two guns, one of which killed one Samuel Gray a rope-maker, the other a molatto man, between which two men the deponent stood; after this the deponent heard the discharge of four or five guns more by the soldiers; immediately after which *the deponent heard the discharge of two guns or pistols, from an open window of the middle story of the CUSTOM-HOUSE*, near to the place where the centry-box is placed, and being but a small distance from the window, he heard the people from within speak and laugh, and soon after saw the casement lowered down; after which the deponent assisted others in carrying off one of the corps.

Cato a Negro man, servant to Tuthill Hubbard, Esq; declares, that on Monday evening the fifth of March current, on hearing the cry of fire, he ran into King-street, where he saw a number of people assembled before the Custom-House, that he stood near the centry-box and saw the soldiers fire on the people, who stood in the middle of the said street; directly after which *he saw two flashes of guns, one quick upon the other, from the chamber-window of the CUSTOM-HOUSE*; and that after the firing was all over, while the people were carrying away the dead and wounded, *he saw the CUSTOM-HOUSE door opened, and several soldiers (one of whom had a cutlass) go into the CUSTOM-HOUSE and shut the door after them.*

Benjamin Andrews declares, that being desired by the committee of enquiry to take the ranges of the holes made by musquet balls, in two houses near opposite to the Custom-House, he finds the bullet hole in the entry-door-post of Mr. Payne's house (and which grazed the edge of the door before it entered the post, where it lodged, *two and a half inches deep*) *ranges just under*

under the stool of the westermost lower chamber window of the CUSTOM-HOUSE.

Samuel Drowne, towards the end of his deposition (which contains a pretty full account of the proceedings of the soldiers on the evening of the fifth instant) declares, that *he saw the flashes of two guns fired from the CUSTOM-HOUSE, one of which was out of a window of the chamber westward of the balcony, and the other from the balcony; the gun, which he clearly discerned, being pointed through the ballisters, and the person who held the gun, in a stooping posture withdrew himself into the house, having a handkerchief or some kind of cloth over his face.*

These depositions show clearly that a number of guns were fired from the Custom-House.—As this affair is now enquiring into, all the notice we shall take of it is, that it distinguishes the actors in it into Street-Actors and House-Actors; which is necessary to be observed.

What gave occasion to the melancholy event of that evening seems to have been this. A difference having happened near Mr. Gray's ropewalk, between a soldier and a man belonging to it, the soldier challenged the ropemakers to a boxing match. The challenge was accepted by one of them, and the soldier worsted. He ran to the barrack in the neighbourhood, and returned with several of his companions. The fray was renewed, and the soldiers were driven off. They soon returned with recruits, and were again worsted. This happened several times, till at length a considerable body of soldiers was collected, and they also were driven off, the ropemakers having been joined by their brethren of the contiguous ropewalks. By this time Mr. Gray being alarmed interposed, and with the assistance of some gentlemen prevented any further disturbance.

disturbance. To satisfy the soldiers and punish the man who had been the occasion of the first difference, and as an example to the rest, he turned him out of his service; and waited on Col. Dalrymple, the commanding officer of the troops, and with him concerted measures for preventing further mischief. Though this affair ended thus, it made a strong impression on the minds of the soldiers in general, who thought the honour of the regiment concerned to revenge those repeated repulses. For this purpose they seem to have formed a combination to commit some outrage upon the inhabitants of the town indiscriminately; and this was to be done on the evening of the fifth instant, or soon after, as appears by the depositions of the following persons, viz.

William Newhall declares, that on Thursday night the first of March instant, he met four soldiers of the 29th regiment, and that he heard them say, *there were a great many that would eat their dinners on Monday next, that should not eat any on Tuesday.*

Daniel Calfe declares, that on Saturday evening the 3d of March a camp-woman, wife to James M'Deed a grenadier of the 29th, came into his father's shop, and the people talking about the affrays at the Rope-walks, and blaming the soldiers for the part they had acted in it, the woman said the soldiers were in the right; adding, *that before Tuesday or Wednesday night they would wet their swords or bayonets in New England people's blood.*

Mary Brailsford declares, that on Sabbath evening the 4th of March instant, a soldier came to the house of Mr. Amos Thayer, where she then was. He desiring to speak with Mr. Thayer, was told by Mrs. Mary Thayer, that her brother was engaged, and could not be spoke with. He said, Your brother, as you call him, is a man I have a great regard for, and I
came

came on purpose to tell him to keep in his house, for *before Tuesday night next at twelve o'clock, there will be a great deal of bloodshed, and a great many lives lost*; and added, that he came out of a particular regard to her brother to advise him to keep in his house, for then he would be out of harm's way. He said, Your brother knows me very well; my name is Charles Malone. He then went away.—Of the same import, and in confirmation of this declaration, are the depositions of Mary Thayer and Asa Copeland, who both live with the said Mr. Thayer, and heard what the soldier said as above mentioned. It is also confirmed by the depositions of Nicholas Ferriter.

Jane Usher declares, that about nine o'clock on Monday morning the 5th of March current, from a window she saw two persons in the habit of soldiers, one of whom being on horseback, appeared to be an officer's servant. The person on the horse first spoke to the other, but what he said, she is not able to say, though the window was open, and she not more than 20 feet distant: the other replied, *He hoped he should see blood enough spilt before morning.*

Matthew Adams declares, that on Monday evening the 5th of March instant between the hours of seven and eight o'clock, he went to the house of corporal Perishall of the 29th regiment, near Quaker-lane, where he saw the corporal and his wife, with one of the fifiers of the said regiments. When he had got what he went for, and was coming away, the corporal called him back, and desired him with great earnestness to go home to his master's house as soon as business was over, and not to be abroad on any account that night in particular, for *the soldiers were determined to be revenged on the ropewalk people, and that much mischief would be done.* Upon which the fifer (about 18 or 19 years of age) said, *he hoped in God they would burn the town down*

down. On this he left the house, and the said corporal called after him again, and begged he would mind what he said to him.

Caleb Swan declares, that on Monday night the 5th of March instant, at the time of the bells ringing for fire, he heard a woman's voice whom he knew to be the supposed wife of one Montgomery, a grenadier of the 29th regiment, standing at her door, *and heard her say, it was not fire; the town was too haughty and too proud; and that many of their arses would be laid low before the morning.*

Margaret Swanborough declares, that a free woman named Black Peg, who has kept much with the soldiers, on hearing the disturbance on Monday evening the 5th instant said, *the soldiers were not to be trod upon by the inhabitants, but would know before morning whether they or the inhabitants were to be masters.*

Joseph Hooton, jun. declares, that coming from the South-end of Boston on Monday evening the 5th of March instant, against Dr. Sewall's meeting he heard a great noise and tumult, with the cry of murder often repeated. Proceeding towards the Town-house he was passed by several soldiers running that way, with naked cutlasses and bayonets in their hands. He asked one of them what was the matter, and was answered by him, By God you shall all know what is the matter soon. Between nine and ten o'clock he went into King-street, and was present at the tragical scene exhibited near the Custom-house, as particularly set forth in his deposition.

Mrs. Mary Russell declares, that John Brailsford, a private soldier of the *fourteenth* regiment, who had frequently been employed by her (when he was ordered with his company to the Castle, in consequence of the murders committed by the soldiers on the evening of the 5th of March) coming to the deponent's house

C

declared,

declared, that *THEIR regiment were ORDERED to hold themselves in readiness, and accordingly was ready THAT EVENING, upon the inhabitants firing on the soldiery, to come to the assistance of the soldiery.* On which she asked him, if he would have fired upon any of the inhabitants of this town. To which he replied, Yes, if he had orders; but that if he saw Mr. Russell he would have fired wide of him. He also said, *it's well there was no gun fired by the inhabitants, for had there been, we should have come to the soldiers assistance.*

By the foregoing depositions it appears very clearly, there was a general combination among the soldiers, of the 29th regiment at least, to commit some extraordinary act of violence upon the town; that if the inhabitants attempted to repel it by firing even one gun upon those soldiers, the 14th regiment were ordered to be in readiness to assist him; and that on the late butchery in King-street they actually were ready for that purpose, had a single gun been fired on the perpetrators of it.

It appears by a variety of depositions, that on the same evening between the hours of six and half after nine (at which time the firing began) many persons, without the least provocation, were in various parts of the town insulted and abused by parties of armed soldiers patrolling the streets; particularly——

Mr. Robert Pierpoint declares, that between the hours of seven and eight in the evening, three armed soldiers passing him, one of them who had a bayonet gave him a back-handed stroke with it; on complaint of this treatment he said the deponent should soon hear more of it, and threatened him very hard.

Mr. Henry Bals declares, that at nine o'clock a party of soldiers came out of Draper's alley leading to and from Murray's barracks, and they being armed with large naked cutlasses, made at every body coming in

in their way, cutting and flashing, and that he himself very narrowly escaped receiving a cut from the foremost of them, who pursued him.

Samuel Atwood declares, that 10 or 12 soldiers, armed with drawn cutlasses, bolted out of the alley leading from Murray's barracks into Dock-square, and met the deponent, who asked them if they intended to murder people; they answered, Yes, by God, root and branch; saying here is one of them; with that one of them struck the deponent with a club, which was repeated by another: the deponent being unarmed turned to go off, and he received a wound on the left shoulder, which reached the bone, disabled him, and gave him much pain. Having gone a few steps the deponent met *two officers*, and asked them, Gentlemen, what is the matter? *they answered, you will see by and by*; and as he passed by Col. Jackson's he heard the cry, Turn out the guards.

Capt. James Kirkwood declares, that about nine of the clock in the evening of the 5th day of March current, he was going by Murray's barracks, hearing a noise he stopt at Mr. Rhoads's door, opposite the said barracks, where said Rhoads was standing, and stood some time, and saw the soldiers coming out of the yard from the barracks, armed with cutlasses and bayonets, and rushing through Boylstone's alley into Cornhill, two officers, viz. Lieutenants Minchin and Dickson, came out of the Mess-house, and said to the soldiers, My lads, come into the barracks, and don't hurt the inhabitants, and then retired into the Mess-house. Soon after they came to the door again, and found the soldiers in the yard; and directly upon it, *Ensign Mall* came to the gate of the Barrack-yard, and said to the soldiers, *Turn out, and I will stand by you*; this he repeated frequently, adding, *Kill! them! stick them! knock them down! run your bayonets through them!*

with a great deal of language of like import. Upon which a great number of soldiers came out of the barracks with naked cutlasses, *headed by said Mall*, and went through the aforesaid alley; that some officers came and got the soldiers into their barracks; and that *Mall with his sword or cutlafs drawn in his hand, as often had them out again*, but were at last drove into their barracks by the aforesaid Minchin and Dickson.

Mr. Henry Rhoads's declaration agrees with Capt. Kirkwood's.

Mr. Matthias King of Halifax, in Nova Scotia, declares, that in the evening of the 5th day of March instant, about nine of the clock, he was at his lodgings at Mrs. Torrey's near the town pump, and heard the bells ring and the cry of fire; upon which he went to the door, and saw several soldiers come round the South side of the Town-house, armed with bayonets, and something which he took to be broad swords; that one of those people came up almost to him and Mr. Bartholomew Kneeland; and that they had but just time to shut the door upon him, otherwise he is well assured they must have fell victims to their boundless cruelty. He afterwards went into the upper chamber of the said house, and was looking out of the window, *when the drum and the guard went to the barrack*, and he saw one of the guards kneel and present his piece with a bayonet fixed, and heard him swear he would fire upon a parcel of boys who were then in the street, but he did not. He further declares, that *when the body of troops was drawn up before the Guard-house (which was presently after the massacre) he heard an officer say to another, that this was fine work, and just what he wanted*; but in the hurry he could not see him, so as to know him again.

Robert

Robert Polley declares, that on Monday evening the 5th instant, as he was going home, he observed about ten persons standing near Mr. Taylor's door; after standing there a small space of time he went with them towards Boylston's alley opposite to Murray's barracks: we met in the alley about eight or nine armed soldiers; they assaulted us, and gave us a great deal of abusive language: we then drove them back to the barracks with sticks only: we looked for stones or bricks, but could find none, the ground being covered with snow: some of the lads dispersed; and he the said Polley, with a few others, were returning peaceably home, when we met about nine or ten other soldiers armed; one of them said, "Where are the sons of bitches?" They struck at several persons in the street, and went towards the head of the alley. Two officers came and endeavoured to get them into their barracks; one of the lads proposed to ring the bell; the soldiers went through the alley, and the boys huzza'd and said they were gone through Royal Exchange-lane into King-street.

Samuel Drowne declares, that about nine of the clock of the evening of the 5th of March current, standing at his own door in Cornhill, he saw about 14 or 15 soldiers of the 29th regiment, who came from Murray's barracks armed with naked cutlasses, swords, &c. and came upon the inhabitants of the town, then standing or walking in Cornhill, and abused some, and violently assaulted others as they met them; most of whom were without so much as a stick in their hand to defend themselves, as he very clearly could discern, it being moon-light, and himself being one of the assaulted persons. All or most of the said soldiers he saw go into King-street (some of them through Royal Exchange-lane) and there followed them, and soon discovered them to be quarrelling and fighting

fighting with the people whom they saw there, which he thinks were not more than a dozen, when the soldiers came there first, armed as aforesaid. Of those dozen people the most of them were gentlemen, standing together a little below the Town-house upon the Exchange. At the appearance of those soldiers so armed, the most of the twelve persons went off, some of them being first assaulted.

The violent proceedings of this party, and their going into King-street, "quarrelling and fighting with the people whom they saw there" (mentioned in Mr. Drowne's deposition) was immediately introductory to the grand catastrophe.

These assailants, who issued from Murray's barracks (so called) after attacking and wounding divers persons in Cornhill, as above mentioned, being armed, proceeded (most of them) up the Royal Exchange-lane, into King-street, where making a short stop, and after assaulting and driving away the few they met there; they brandished their arms, and cried out, Where are the boogers? where are the cowards? At this time there were very few persons in the street beside themselves.—This party in proceeding from Exchange-lane into King-street must pass the centry posted at the westerly corner of the Custom house, which butts on that lane and fronts on that street. This is needful to be mentioned, as near that spot and in that street the bloody tragedy was acted, and the street-actors in it were stationed, their station being but a few feet from the front side of the said Custom-house.—The outrageous behaviour and the threats of the said party occasioned the ringing of the Meeting-house bell near the head of King-street; which bell ringing quick as for fire, it presently brought out a number of the inhabitants, who being soon sensible of the occasion of it, were naturally led to King-street, where the said party

party had made a stop but a little while before, and where their stopping had drawn together a number of boys round the centry at the Custom-house. Whether the boys mistook the centry for one of the said party, and thence took occasion to differ with him, or whether he first affronted them, which is affirmed in several depositions,—however that may be, there was much foul language between them; and some of them, in consequence of his pushing at them with his bayonet, threw snow-balls at him*, which occasioned him to knock hastily at the door of the Custom-house. From hence two persons thereupon proceeded immediately to the main guard, which was posted (opposite to the State-house) at a small distance near the head of the said street. The officer on guard was Capt. Preston, who with seven or eight soldiers with fire arms, and charged bayonets, issued from the Guard-house, and in great haste posted himself and his soldiers in the front of the Custom-house near the corner aforesaid. In passing to this station the soldiers pushed several persons with their bayonets, driving through the people

* Since writing this narrative several depositions have appeared, which make it clear, that the centry was first in fault.—He overheard a barber's boy saying that a captain of the 14th (who had just passed by) was so mean a fellow as not to pay his barber for shaving him; upon this the centry left his post and followed the boy into the middle of the street, where he told him to shew his face; the boy pertly replied, I am not ashamed to shew my face to any man; upon this the centry gave him a sweeping stroke on the head with his musket, which made him reel and stagger and cry much. A fellow apprentice asked the centry what he meant by this abuse? He replied, D—n your blood, if you do not get out of the way I will give you something; and then fixed his bayonet and pushed at the lads, who both ran out of the way. This dispute collected a few persons about the boy, near the Custom-house. Presently after this, the party above-mentioned came into King-street, which was a further occasion of drawing people thither, as above related. (See deposition of Benjamin Broaders and others).

people in so rough a manner, that it appeared they intended to create a disturbance. This occasioned some snow-balls to be thrown at them; which seems to have been the only provocation that was given. Mr. Knox (between whom and Capt. Preston there was some conversation on the spot) declares, that while he was talking with Capt. Preston, the soldiers of his detachment had attacked the people with their bayonets; and that there was not the least provocation given to Capt. Preston or his party; the backs of the people being towards them when the people were attacked. He also declares, that Capt. Preston seemed to be in great haste and much agitated; and that according to his opinion there were not then present in King-street above 70 or 80 persons at the extent.

The said party was formed into a half circle, and, within a short time after they had been posted at the Custom-house, began to fire upon the people.

Capt. Preston is said to have ordered them to fire, and to have repeated that order. One gun was fired first; then others in succession, and with deliberation, till ten or a dozen guns were fired, or till that number of discharges were made from the guns that were fired. By which means 11 persons were killed and wounded, as above represented.

These facts, with divers circumstances attending them, are supported by the depositions of a considerable number of persons, and among others, of the following, viz. Messrs. Henry Bais, Samuel Atwood, Samuel Drowne, James Kirkwood, Robert Polley, Samuel Condon, Daniel Usher, Josiah Simpson, Henry Knox, Gillam Bais, John Hickling, Richard Palmes, Benjamin Frizzel, and others, whose depositions are in the appendix.

Soon after the firing, a drum with a party from the main guard went to Murray's and the other barracks, beating

beating an alarm as they went, which, with the firing, had the effect of a signal for action; whereupon all the soldiers of the 29th regiment, or the main body of them, appeared in King-street under arms, and seemed bent on a further massacre of the inhabitants, which was with great difficulty prevented. They were drawn up between the State-house and main guard, their lines extending across the street and facing down King-street, where the town-people were assembled. The first line kneeled; and the whole of the first platoon presented their guns ready to fire, as soon as the word should be given. They continued in that posture a considerable time; but by the good Providence of God they were restrained from firing.

That they then went into King-street with such a disposition will appear probable by the two following depositions.

Mrs. Mary Gardner, living in Atkinson-street, declares, that on Monday evening the 5th of March current, and before the guns fired in King-street, there were a number of soldiers assembled from Green's barracks towards the street, and opposite to her gate; that they stood very still until the guns were fired in King-street, then they clapped their hands and gave a cheer, saying, *This is all that we want*. They ran to their barrack, and came out again in a few minutes all with their arms, and ran towards King-street.

William Fallas declares, that (after the murder in King-street) on the evening of the 5th instant, upon his return home he had occasion to stop opposite to the lane leading to Green's barracks, and while he stood there the soldiers rushed by him with their arms towards King-street, saying, *This is our time or chance*; and that he never saw men or dogs so greedy for their

prey as those soldiers seemed to be, and the serjeants could hardly keep them in their ranks.

These circumstances, with those already mentioned, amount to a clear proof of a combination among them to commit some outrage upon the town on that evening; and that after the enormous one committed in King-street, they intended to add to the horrors of that night by making a further slaughter.

At the time Capt. Preston's party issued from the main guard there were in King-street about two hundred persons, and those were collected there by the ringing of the bell in consequence of the violence of another party that had been there a very little while before. When Captain Preston had got to the Custom-house, so great a part of the people dispersed at sight of the soldiers, that not more than twenty or thirty then remained in King-street, as Mr. Drowne declares *, and at the time of the firing not seventy, as Mr. Palmes thinks *.

But after the firing, and when the slaughter was known, which occasioned the ringing of all the bells of the town, a large body of the inhabitants soon assembled in King-street, and continued there the whole time the 29th regiment was there under arms, and would not retire till that regiment and all the soldiers that appeared, were ordered, and actually went, to their barracks: after which, having been assured by the Lieutenant-governor and a number of the civil magistrates present, that every legal step should be taken to bring the criminals to justice, they gradually dispersed. For some time the appearance of things was dismal: the soldiers outrageous on the one hand, and the inhabitants justly incensed against them on the other; both parties seeming disposed to come to ac-

* See his deposition.

tion. In this case the consequences would have been terrible; but by the interposition of his Honor, some of his Majesty's council, a number of civil magistrates, and other gentlemen of weight and influence, who all endeavoured to calm and pacify the people; and by the two principal officers interposing their authority with regard to the soldiers, there was happily no further bloodshed ensued; and by two o'clock the town was restored to a tolerable state of quiet. About that time Capt. Preston, and a few hours after the party that had fired, were committed to safe custody.

One happy effect has arisen from this melancholy affair, and it is the general voice of the town and province it may be a lasting one—All the troops are removed from the town—They are quartered for the present in the barracks at Castle Island; from whence it is hoped they will have a speedy order to remove intirely out of the province, together with those persons who were the occasion of their coming hither.

In what manner this was effected, it is not foreign from the subject of this narrative to relate.

The morning after the massacre a town-meeting was held; at which attended a very great number of the freeholders and other inhabitants of the town. They were deeply impressed and affected by the tragedy of the preceding night, and were unanimously of opinion it was incompatible with their safety that the troops should remain any longer in the town; in consequence thereof they chose a committee of fifteen gentlemen to wait upon his Honor the Lieutenant-governor in Council, to request of him to issue his orders for the immediate removal of the troops.

The message was in these words:

That it is the unanimous opinion of this meeting that the inhabitants and soldiery can no longer live together in safety; that nothing can rationally be expected to restore the peace of the town and prevent farther blood and carnage, but the immediate removal of the troops; and that we therefore most fervently pray his Honor that his power and influence may be exerted for their instant removal.

His Honor's reply, which was laid before the town then adjourned to the old south meeting-house, was as follows:

Gentlemen,

I am extremely sorry for the unhappy differences between the inhabitants and troops, and especially for the action of the last evening, and I have exerted myself upon that occasion, that a due enquiry may be made, and that the law may have its course. I have in council consulted with the commanding officers of the two regiments who are in the town. They have their orders from the General at New York: it is not in my power to countermand those orders. The Council have desired that the two regiments may be removed to the Castle. From the particular concern which the 29th regiment has had in your differences, Col. Dalrymple, who is the commanding officer of the troops, has signified that that regiment shall without delay be placed in the barracks at the Castle, until he can send to the General and receive his further orders concerning both the regiments, and that the main guard shall be removed, and the 14th regiment so disposed, and laid under such restraint, that all occasion of future disturbances may be prevented.

The

The foregoing reply having been read and fully considered—the question was put, Whether the report be satisfactory? Passed in the Negative (only one dissenter) out of upwards of 4000 voters.

A respectable Committee was then appointed to wait on his Honor the Lieutenant-governor, and inform him, *that it is the unanimous opinion of this meeting that the reply made to a vote of the inhabitants presented his Honor in the morning, is by no means satisfactory; and that nothing less will satisfy than a total and immediate removal of all the troops.*

The Committee having waited upon the Lieutenant-governor, agreeable to the foregoing vote, laid before the inhabitants the following vote of Council received from his Honor.

His Honor the Lieutenant-governor laid before the Board a vote of the town of Boston passed this afternoon, and then addressed the Board as follows:

Gentlemen of the Council,

"I lay before you a vote of the town of Boston, which I have just now received from them, and I now ask your advice what you judge necessary to be done upon it."

The Council thereupon expressed themselves to be unanimously of opinion, "that it was absolutely necessary for his Majesty's service, the good order of the town, and the peace of the province, that the troops should be immediately removed out of the town of Boston, and thereupon advised his Honor to communicate this advice of the Council to Col. Dalrymple, and to pray that he would order the troops down to Castle William." The
Com-

Committee also informed the town that Col. Dalrymple, after having seen the vote of Council, said to the Committee,

"That he now gave his word of honor that he would begin his preparations in the morning, and that there should be no unnecessary delay until the whole of the two regiments were removed to the Castle."

Upon the above report being read, the inhabitants could not avoid expressing the high satisfaction it afforded them.

After measures were taken for the security of the town in the night by a strong military watch, the meeting was dissolved.

IN the concluding paragraph of the foregoing Narrative it is said that the town-meeting was dissolved after the measures were taken for the security of the town in the night by a strong military watch.

Our implacable enemies, in pursuance of their plan of misrepresentation, have taken pains to misrepresent this most necessary measure, by declaring it to have been contrary to the mind of the Commander in Chief, and against Law.

This matter will be judged of, by stating the fact and producing the Law.

When the Committee, who had waited on the Lieutenant-governor, had reported to the town that the troops would be removed to Castle Island (at which time it was near night) it was thought necessary for the safety of the town, and for preventing a rescue of the persons committed to gaol for firing upon and killing a number of his Majesty's subjects, that there should be a military watch; and divers Gentlemen were desired to take the needful steps for that purpose: it being then night, it was impossible a regular notification should issue from the officers of the militia: a considerable number of respectable persons therefore offered themselves volunteers, and did the duty of a military watch under the direction of the Lieutenant-colonel, who attended that service with the approbation of the Chief colonel of the Boston regiment. The next day, with two of the select men of the town, the Chief colonel went to the Lieutenant-governor, and they

they informed him, it was apprehended absolutely necessary for the safety of the town there should be a military watch kept; and that the Colonel then waited upon him to receive his orders. The Lieutenant-governor declined giving any orders concerning it, but said the law was clear, that the Colonel, as chief officer of the regiment, might order a military watch; and that he might do about it as he thought fit. In consequence of this, and knowing the Law gave him such a power, the Colonel issued his orders for that purpose, and a regular watch was kept the following night. The next day the Lieutenant-governor sent for the Colonel, and let him know that he was in doubt about the legality of the appointment of the military watch; and recommended to the Colonel to take good advice, whether he had a right by Law to order such a watch.

This being quite unexpected occasioned the Colonel to express himself with some fervor. He also said he had already taken advice, and had no doubt of his own power; but had the preceding day waited upon his Honor as commander in chief to receive his orders; which, as his Honor had declined giving, and left the matter with himself, he had appointed a military watch, and judged it a necessary measure to quiet the fears and apprehensions of the town. The interview ended with the Lieutenant-governor's recommending again, that the Colonel would take care to proceed according to Law; and without his forbidding a military watch.

This military watch was continued every night till Col. Dalrymple had caused the two regiments under his command to be removed to the barracks at Castle Island. During the continuance of the watch, the Justices of the Peace in their turns attended every night, and the utmost order and regularity took place through the whole of it.

This

This is the state of the fact, upon which every one is left to make his own observations.

Now for the Law; with respect to which nothing more is necessary than just to recite it. It runs thus, "That there be military watches appointed and kept in every town, at such times, in such places, and in such numbers, and under such regulation, as the chief military officers of each town shall appoint, or as they may receive orders from the chief officer of the regiment."*—This needs no comment; it clearly authorizes the chief officer of the regiment to appoint military watches. The late military watch in Boston being founded on such an appointment was therefore according to Law.

* See a Law of the Province for regulating the Militia made in the 5th year of William and Mary, Chap. 7. Sect. 10.

A P P E N D I X.

Containing the several Depositions referred to in the preceding NARRATIVE; and also other Depositions relative to the Subject of it.

(No. 1.)

I John Wilme of lawful age testify, that about ten days before the late massacre, Christopher Rumbly of the 14th regiment was at my house at the north part of the town, with sundry other soldiers; and he the said Rumbly did talk very much against the town, and said, if there *should be any interruption, that the grenadiers company was to march up King-street*; and that if any of the inhabitants would join with them, the women should be sent to the castle, or some other place; and that he had been in many a battle; and that he did not know *but he might be soon in one here*; and that if he was, he would level his piece so as not to miss; *and said, that the blood would soon run in the streets of Boston*; and that one Sumner of the same regiment did say, that he came here to make his fortune; and that he would *as soon fight for one*

one king as another ; and that the two gaps would be stop'd, said one of the soldiers ; and that they would soon sweep the streets of Boston.

And further saith, that he heard a soldier's wife, named Eleanor Park, say, that if there should be any disturbance in the town of Boston, and that if any of the people were wounded, she would take a stone in her handkerchief and beat their brains out, *and plunder the rebels*—And further I say not.

JOHN WILME.

Suffolk, ff. Boston, March 21, 1770.

John Wilme above-named, after due examination, made oath to the truth of the aforesaid affidavit, taken to perpetuate the remembrance of the thing.

Before, JOHN RUDDOCK, Just. Peace, and of the
Quorum,
And JOHN HILL, Jus. Peace.

(No. 2.)

I Sarah Wilme of lawful age testify, that about ten days before the late massacre, Christopher Rumbly of the 14th regiment was at our house at the north part of the town, with sundry other soldiers ; and he the said Rumbly did talk very much against the town, and said, if there should be any interruption, that the grenadiers company was to march up King-street ; and that if any of the inhabitants would join with them, the women should be sent to the castle, or some other place ; and that he had been in many battles ;

and that he did not know but *he might be soon in one here; and that if he was, he would level his piece so as not to miss; and said, that the blood would soon run in the streets of Boston; and that one Sumner of the same regiment did say, that he came here to make his fortune, and that he would as soon fight for one king as another; and that the two gaps would be stop'd, said one of the soldiers; and that they would soon sweep the streets of Boston.* And further saith not.

SARAH WILME.

Suffolk, ff. *Boston, March 21, 1770.*

Sarah Wilme above-named, after due examination, made oath to the truth of the aforesaid affidavit, taken to perpetuate the remembrance of the thing.

Before, JOHN RUDDOCK, Just. Peace and of the
Quorum,
And, JOHN TUDOR, Justice Peace.

(No. 3.)

I David Cockran of lawful age testify, that I went to the house of Mr. John Wilme to pay him a visit in the evening about ten days before the late massacre, and there I found four or five soldiers, and after some time the said *Wilme told me not to be out in the night of such a day* (though I cannot positively say what day) whereupon I asked him what he meant, and *he told me that there would be disturbances, or words to that effect; and that one of said soldiers took me by the arm,*

arm, and said, *the blood would soon run in the streets of Boston.* And further saith not.

Attest. ELISHA STORY.

his
David () Cockran.
Mark.

Suffolk, ff. Boston, March 21, 1770.

David Cockran above-named, after due examination, made oath to the truth of the afore-said affidavit, taken to perpetuate the remembrance of the thing.

Before, JOHN RUDDOCK, Just. Peace and of the
Quorum,
And, JOHN HILL, Just. Peace.

(No. 4.)

WILLIAM NEWHALL, living in Fish-street, of lawful age, testifies and says, that on Thursday night, being the first of March instant, between the market and Justice Quincey's he met four soldiers of the 29th regiment, all unarm'd, and that he heard them say, *there was a great many that would eat their dinners on Monday next, that should not eat any on Tuesday.*

WILLIAM NEWHALL.

Suffolk, ff. Boston, March 21, 1770.

William Newhall above-named, after due examination, made oath to the truth of the afore-said

said affidavit, taken to perpetuate the remembrance of the thing.

Before, JOHN RUDDOCK, Just. Peace and of the
Quorum,
And, JOHN HILL, Jus. Peace.

(No. 5.)

I Nicholas Feriter of lawful age testify, that on Friday the second instant, about half after 11 o'clock, A. M. a soldier of the 29th regiment, came to Mr. John Gray's rope-walks, and looking into one of the windows said, *By God I'll have satisfaction!* with many other oaths; at the last he said, he was not afraid of any one in the rope-walks. I stept out of the window and speedily knocked up his heels; on falling his coat flew open, and a naked sword appeared, which one John Willson following me out took from him, and brought into the rope-walks. The soldier then went to Green's barrack, and in about twenty minutes returned with eight or nine more soldiers armed with clubs, and began, as I was told, with three or four men in Mr. Gray's warehouse, asking them why they had abused the soldier aforesaid? These men in the warehouse passed the word down the walk for the hands to come up, which they did, and soon beat them off. In a few minutes the soldiers appeared again at the same place, re-inforced to the number of thirty or forty, *armed with clubs and cutlasses*, and headed by a tall negro drummer with a cutlass chained to his body, with which at first rencounter I received a cut on the head, but being immediately supported by nine or ten more of the rope-makers, armed with their wouldring sticks,

sticks, we again beat them off. And further I say not.

NICHOLAS FERITER.

Suffolk, ff. *Boston*, March 20, 1770.

Nicholas Ferriter above-mentioned, after due examination, made oath to the aforesaid affidavit, taken to perpetuate the remembrance of the thing.

Before, JOHN RUDDOCK, Jus. Peace and of the
Quorum,
And, JOHN HILL, Jus. Peace.

(No. 6.)

I Jeffrey Richardson of lawful age testify and say, that on Friday the second instant, about eleven o'clock, A. M. eight or ten soldiers of the 29th regiment, armed with clubs, came to Mr. John Gray's rope-walks, and *challenged all the rope-makers to come out and fight them.*—All the hands then present, to the number of thirteen or fourteen, turned out with their wouldring sticks, and beat them off directly. They very speedily returned to the rope-walk, re-inforced to the number of thirty or forty, and headed by a tall negro drummer, again challenged them out, which the same hands accepting, again beat them off with considerable bruises. And further I say not.

JEFFREY RICHARDSON.

Suffolk, ff. *Boston*, March 19, 1770.

Jeffrey

Jeffrey Richardson *above-named*, after^d due examination, made oath to the truth of the above affidavit, taken to perpetuate the remembrance of the thing.

Before, RI. DANA, Just. of Peace and of the Quorum,

And, JOHN HILL, Jus. Peace.

(No. 7.)

JOHN FISHER of lawful age testifies and saith, that on the second day of March, between eleven and twelve o'clock, A. M. he saw about six soldiers going towards Mr. John Gray's rope-walk, some with clubs; they had not been there long, before they returned quicker than they went, and retreated into their barracks, and brought out the light infantry company, with many others, and went against the rope-makers again; but were soon beat off as far as Green's-lane, the soldiers following and chasing many persons they could see in the lane with their clubs, and endeavouring to strike them, when a corporal came and ordered them into the barracks.—And further saith, that on Saturday the third instant, he saw the soldiers making clubs; and by what he could understand from their conversation, *they were determined to have satisfaction by Monday.* And further saith not.

JOHN FISHER.

Suffolk, ff. Boston, March 17, 1770.

John Fisher *above-named*, after due examination, made oath to the truth of the above affidavit,

*davit, taken to perpetuate the remembrance
of the thing.*

Before, RI. DANA, Just. of Peace and of the
Quorum,
And, SAM PEMBERTON, Just. Peace.

(No. 8.)

I JOHN HILL aged sixty-nine testify, that in the forenoon of Friday the second of March current, I was at a house the corner of a passage way leading from Atkinson's-street to Mr. John Gray's rope-walks, near Green's barracks so called, when I saw eight or ten soldiers pass the window with clubs; I immediately got up and went to the door, and found them returning from the ropewalks to the barracks; whence they again very speedily re-appeared, now increased to the number of thirty or forty, armed with clubs and other weapons. In this latter company was a tall negro drummer, to whom I called, you black rascal, what have you to do with white people's quarrels? He answered, I suppose I may look on, and went forward. *I went out directly and commanded the peace, telling them I was in commission; but they not regarding me, knocked down a rope-maker in my presence, and two or three of them beating him with clubs, I endeavoured to relieve him; but on approaching, the fellows who were mauling him, one of them with a great club struck at me with such violence, that had I not happily avoided, it might have been fatal to me.* The party last mentioned rushed in towards the rope-walks, and attacked the rope-makers nigh the tar-kettle, but were soon beat off, drove out of the passage-way by which they entered, and were followed by the rope-makers, whom I persuaded

suaded to go back, and they readily obeyed. And further I say not.

JOHN HILL.

Suffolk, ff. Boston, March 19, 1770.

John Hill, Esq; above named, after due examination, made oath to the truth of the afore-said affidavit, taken to perpetuate the remembrance of the thing.

Before, RI. DANA, Just. of the Peace and of the
Quorum,
And, JOHN RUDDOCK, Just. of Peace.

(No. 9.)

I JOHN GRAY of lawful age testify and say, that on the Saturday preceding the massacre on the Monday evening of the 5th instant, Middleton the chimney-sweeper being at my house, said to my maid, as she informed me, that he was well acquainted with the soldiers, and they had determined to have their revenge of the rope-walk people; being alarmed with this news, I determined to see Col. Dalrymple on Monday morning. At Sabbath-noon I was surprized at hearing that Col. Carr and his officers had entered my rope-walk, opened the windows, doors, &c. giving out that they were searching for a dead serjeant of their regiment; this put me upon immediately waiting upon Col. Dalrymple, to whom I related what I understood had passed at the rope-walk days before; he replied it was much the same as he had heard from his people; but, says he, "your man was the aggressor in affronting one of my people, by asking him
if

if he wanted to work, and then telling him to clean his little-house." For this expression I dismissed my journeyman on the Monday morning following ; and further said, I would do all in my power to prevent my peoples giving them any affront in future. He then assured me he had, and should do every thing in his power to keep his soldiers in order, and prevent their any more entering my inclosure. Presently after Col. Carr came in, and asked Col. Dalrymple what they should do, for they were daily losing their men ; that three of his grenadiers passing quietly by the rope-walks were greatly abused, and one of them so much beat that he would die. He then said he had been searching for a serjeant who had been murdered ; upon which I said Yes, Colonel, I hear you have been searching for him in my rope-walks ; and asked him whether that serjeant had been in the affray there on the Friday ; he replied No ; for he was seen on the Saturday. I then asked him how he could think of looking for him in my walks ; and that had he applied to me, I would have waited on him, and opened every apartment I had for his satisfaction.

JOHN GRAY.

Suffolk, ff. *Boston*, March 22, 1770.

*John Gray above named, after due examination,
made oath to the truth of the above-written
affidavit, taken to perpetuate the remembrance
of the thing.*

*Before, R. I. DANA, Justice of the Peace and of the
Quorum,
And, JOHN HILL, Just. Peace.*

(No. 10.)

ARCHIBALD M'NEIL jun. of lawful age testifies and says, that on Saturday the third instant, about half an hour after four in the afternoon, the deponent with two apprentices were spinning at the lower end of Mr. M'Neil's rope-walk, three stout grenadiers armed with bludgeons came to them, and addressing the deponent said, *You damn'd dogs, don't you deserve to be kill'd? Are you fit to die?* The deponent and company being quite unarmed gave no answer. James Bayley, a sea-faring young man, coming up, said to the deponent, &c. Why did you not answer? One of the grenadiers, named Dixson, hearing him, came up to Bayley, and asked him if he was minded to vindicate the cause? Bayley also unarmed did not answer till James Young came up, who, though equally naked, said to the grenadier, *Damn it, I know what a soldier is.* That grenadier stood still, and the other who had threatened the deponent came up and struck at him, which Young fended off with his arms, and then turning aimed a blow at the deponent, which had it reached might probably have been fatal. Patrick ———, Mr. Winter Cale's journeyman, seeing the affray, went into the tan-house, and bringing out two batts gave one to a bystander, who, together with Patrick, soon cleared the walk of them. And further saith not.

ARCHIBALD M'NEIL.

Suffolk, ff. Boston, March 17, 1770.

Archibald M'Neil above-named, after due examination, made oath to the above affidavit,
taken

taken to perpetuate the remembrance of the thing.

Before, RI. DANA, Just. of Peace and of the Quorum,

And, JOHN HILL, Just. of Peace.

(No. 11.)

MARY THAYER of lawful age testifies and says, that on Sabbath day evening, the 4th current, a foldier of the 29th, named Charles Malone, came into Mr. Amos Thayer's house, brother to the deponent, and sent a young lad belonging to Mr. Thayer up stairs to his master, desiring him to come down to him. Mr. Thayer refused to come down or have any thing to say to him. The deponent going down on other occasion said, she would hear what the foldier had to say; and coming to the foldier told him her brother was engaged. The foldier said, *Your brother, as you call him, is a man I have a very great regard for, and came here to desire him to keep in the house and not be cut, for there would be a great deal of disturbance and blood between that time and Tuesday night at 12 o'clock.* He repeatedly said he had a greater regard for Mr. Thayer than any one in Boston, and on that account came to desire him to keep in the house, which if he did there would be no danger. After repeating the above frequently, he even turned at the door, and said, my name is Charles Malone, your brother knows me well, and insisted very earnestly that the deponent would not neglect informing her brother, and further saith not.

MARY THAYER.

Suffolk, ff. Boston, March 17, 1770.

Mary

Mary Thayer above-named, after due examination, made oath to the truth of the above affidavit, taken to perpetuate the remembrance of the thing.}

Before Rⁱ. DANA. Just. Peace and of the Quorum,
JOHN HILL, Just. Peace.

(No. 12.)

I Mary Brailsford of lawful age testify and declare, that on Sunday evening the 4th instant a person knocked at the door of Mr. Thayer's house; Mr. Thayer's lad went to see who it was; the boy went up stairs to his master, and the soldier came into the room where I then was; Miss Mary Thayer and the boy came down stairs into the same room. Miss Thayer told the soldier her brother was engaged and could not be spoke with, he said, "*Your brother. as you call him, is a man I have a great regard for, and I came on purpose to tell him to keep in his house, for before Tuesday night next at twelve o'clock there will be a great deal of blood shed, and a great many lives lost;*" and added, that he came out of particular regard to her brother to advise him to keep in his house, for then he would be out of harm's way: he said your brother knows me very well, my name is Charles Malone; he then went away. And further saith not.

her
MARY + BRAILSFORD,
Attest, Wm. Palfrey. Mark.

Suffolk, ff. Boston, March 17, 1770.

Mary

Mary Brailsford above-named, after due examination, made oath to the truth of the above written affidavit, taken to perpetuate the remembrance of the thing.

Before R^r. DANA, Just. Peace and of the Quorum,
JOHN HILL, Just. Peace.

(No. 13.)

I Asa Copeland of lawful age testify and declare, that on Sunday evening the 4th instant a soldier, named Malone, came to the house of my master, Mr. Amos Thayer, and asked for the young man that lived in the house. I asked him what young man he meant; he said the, young man a carpenter. I supposing he meant my master, told him he was up stairs. He then asked me to go and call him, and said he wanted to speak with him: I then went up and told my master that Malone was below and wanted to speak with him. My master told me to tell him he was engaged and could not go down, and said if he had any thing to say he must say it to his sister Miss Mary Thayer. I then went down, and heard said Malone saying to Miss Thayer. "I would have him keep in, for I have a greater regard for Mr. Thayer than for any other person in town;" and added, *I would have him keep in his own place, for by Tuesday night next before twelve o'clock there will be a great many lives lost, and a great deal of blood shed, which he repeated several times.* As he was going out of the door he turned back and said Mr. Thayer knew him very well, and had drank with him, that his name was Charles Malone. And further saith not.

ASA COPELAND.

Suffolk,

Suffolk, ff. Boston, March 17, 1770.

Afa Copeland above-named, after due examination, made oath to the truth of the above affidavit, taken to perpetuate the remembrance of the thing.

Before R. I. DANA, Just. Peace and of the Quorum,
JOHN HILL, Just. Peace.

(No. 14.)

I John Brailsford of lawful age testify, that on Monday evening the 5th instant as I was passing by the centry at Col. Dalrymple's house in Green's-lane, I asked a soldier named *Swan*, of the 29th regiment, what was the reason of their peoples going about armed with clubs in such a manner, and troubling the town's people. *Swan* told me, *You will see, you had better go home*, and more to the same purpose. When the guns were fired I returned back and asked *Swan* what that could mean; *Swan* waving his head, said it's the guards, there is no shot there: *You had better go home*, and by all his behaviour and discourse he manifested his full acquaintance with the whole affair. And furthea saith not.

JOHN BRAILSFORD.

Suffolk, ff. Boston, March 21. 1770.

John Brailsford above-named, after due examination, made oath to the truth of the above-written affidavit, taken to perpetuate the remembrance of the thing.

Before

Before JOHN RUDDOCK, Just. Peace and of the
Quorum,
JOHN HILL, Just. Peace.

(No. 15.)

Nathaniel Noyes of lawful age testifies and says,
that on last Sabbath evening, the 4th day of March
current, a little after dark, he saw five or six soldiers
of the 14th and 29th regiments, each of them with
clubs, passing through Fore-street, and heard them
say, that if they saw any of the inhabitants of this
town out in the street after nine o'clock, *they swore by
God, they would knock them down, be they who they
will.*

NATH. NOYES.

Suffolk, ss. Boston, March 16, 1770.

*Nathaniel Noyes above-named, after due exami-
nation, made oath to the truth of the above-
written affidavit, taken to perpetuate the
remembrance of the thing.*

Before RI. DANA, Just. of Peace and of the Quorum,
JOHN HILL, Just. Peace.

(No. 16.)

Richard Ward of lawful age does testify and say,
that on the Lord's-day evening preceding the
fifth day of March instant, about dusk he went to
see one Mr. Dines (who is a soldier in the twenty-ninth
regiment, and who worked, when he was not upon
G duty,

duty, in Mr. John Piemont Peruke-maker's shop with the deponent, a journeyman to said Piemont) the said Dines lives near the barracks at New-Boston; when your deponent was there, he heard *one of the officers* of the said 29th regiment *say to the serjeants, Don't let any of your people go out unless there be eight or ten together.*

RICHARD WARD.

Suffolk, ff. Boston, March 16, 1770.

Richard Ward above-named, after due examination, made oath to the truth of the above-written affidavit, taken to perpetuate the remembrance of the thing.

Before RI. DANA, Just. Peace and of the Quorum,
JOHN HILL, Just. Peace.

(No. 17.)

JANE Usher of lawful age testifies and says, that about nine of the clock in the morning of Monday the fifth day of March current, she being in the front chamber of the house of John Scollay, Esq; on Dock-square, from the window saw two persons in the habit of foldiers, one of whom being on horse-back appeared to be an officer's servant: the person on the horse first spoke to the other, but what he said she is not able to say, though the window was open, and she not more than twenty feet distant; the other replied, *he hoped he should see blood enough spilt before morning.*

JANE USHER.

Suffolk, ff. Boston, March 16, 1770.

Jane

Jane Usher above-named, after due examination, made oath to the truth of the above written affidavit, taken to perpetuate the remembrance of the thing.

Before RI. DANA, Just. Peace and of the Quorum,
JOHN HILL, Just. Peace.

(No. 18.)

Matthew Adams (living with Mr. John Arnold) being of lawful age testifies and says, that on Monday evening the fifth day of March instant, between the hours of seven and eight of the clock, he went to the house of corporal Pershall, of the twenty-ninth regiment, near Quaker-lane, where he saw the corporal and his wife, with one of the fifiers of said regiment; when he had got what he went for, and was coming away, the corporal called him back, and desired him with great earnestness to go home to his master's house as soon as business was over, and not be abroad on any account that night in particular, for the soldiers were determined to be revenged on the rope-walk people; and that much mischief would be done; upon which the fifer (about eighteen or nineteen years of age) said, he hoped in God they would burn the town down; on this he left the house, and the said corporal called after him again, and begg'd he would mind what he had said to him. And further saith not.

MATTHEW ADAMS.

Suffolk, ff. Boston, March 20, 1770.

Matthew Adams above-named, after due examination, made oath to the truth of the afore-said

said affidavit, taken to perpetuate the remembrance of the thing.

Before JOHN RUDDOCK, Just. Peace and of the
Quorum,
JOHN HILL, Just. Peace.

(No. 19.)

CAleb Swan of lawful age testifies and says, that last Monday night, the 5th of March 1770, being at Mr. Sample's door, at the north part of the town near the north battery, at the time of the bells ringing for fire, he heard a woman's voice, whom he knew to be the supposed wife of one Montgomery, a grenadier of the twenty-ninth regiment, standing at her door, and heard her say, it was not fire; the town was too haughty and too proud; that *many of their arses would be laid low before the morning*; upon which Susanna Cathcart said to her, I hope your husband will be killed; on which the woman replied, My husband is able and will stand his ground.

CALEB SWAN,

Suffolk, ff. Boston March 21, 1770.

Caleb Swan above-named, after due examination, made oath to the truth of the above affidavit, taken to perpetuate the remembrance of the thing.

Before JOHN RUDDOCK, Just. Peace and of the
Quorum.
JOHN HILL, Just. Peace.

(No. 20.)

(No. 20.)

Margaret Swansborough of lawful age testifies and says, that a free woman, named Black Peg, who has kept much with the soldiers, on hearing the disturbance on Monday evening the fifth instant, said, *The soldiers were not to be trod upon by the inhabitants, but would know before morning, whether they or the inhabitants were to be masters.* Since which time, the said Black Peg has sold off her household stuff and left the town, on her hearing what she had said before was given in to the committee of enquiry

her
MARGARET + SWANSBOROUGH.
 mark,

Suffolk, ff. Boston, March 20, 1770.

Margaret Swansborough afore-named, after due examination, made oath to the truth of the aforesaid affidavit, taken to perpetuate the remembrance of the thing.

Before JOHN RUDDOCK, Just. Peace and of the
 Quorum,
 BELCHER NOYES, Just. of Peace.

(No. 21.)

Robert Pierpont of lawful age testifies and says, that going to see a sick neighbour between the hours of seven and eight on Monday evening the fifth current, two soldiers arm'd, one with a broad sword, the

the other with a club, passed him near the Hay-market, going towards the town-house, seeming in great haste. In a few minutes they returned and hallowed very loud, Colonel. Before the deponent reached Mr. West's house, where he was going, they passed him again, joined by another with a blue surtout, who had a bayonet with which he gave the deponent a back-handed stroke, apparently more to affront than hurt him. On complaint of this treatment, he said, *the deponent should soon bear more of it, and threatened him very hard.* And further saith not.

ROB. PIERPONT,

Suffolk, ff. Boston, March 16, 1770.

Robert Pierpont above-named, after due examination, made oath to the truth of the above-written affidavit, taken to perpetuate the remembrance of the thing.

Before RI. DANA, Just. Peace and of the Quorum,
JOHN HILL, Just. Peace.

(No. 22.)

JOHN Brown of lawful age testifies and says, that coming homewards about nine of the clock on Monday evening the fifth current, he fell in with Nathaniel Bosworth, and walking slowly together, a little to the southward of Liberty-tree so called, they met a parcel of soldiers, about six or seven in number, walking very fast into town; one of the foremost said, *Damn you stand out of the way,* and struck the deponent a blow on the breast, which made him stagger and fall nearly to the ground, tho' he had sheared

sheared out of the way. The soldiers pressed along, cursing and damning, towards the town-house with naked bayonets in their hands.

JOHN BROWN.

Suffolk, ff. Boston, March 17, 1770.

John Brown above-named, after due examination, made oath to the truth of the above affidavit, taken to perpetuate the remembrance of the thing.

Before RI. DANA, Just. Peace and of the Quorum.
JOHN HILL, Just. Peace.

The following Deposition should have immediately preceded No. 5.

(No. 23.)

SAMUEL BOSTWICK of lawful age testifies and says, that on Friday the second instant, between ten and eleven o'clock in the forenoon, three soldiers of the 29th regiment came up Mr. Gray's rope-walk, and William Green, one of the hands, spoke to one of them, saying, Soldier, will you work? The soldier replied, Yes: Green said, then go and clean my f—t-house. The soldier swore by the Holy Ghost that he would have recompence, and tarried a good while swearing at Green, who took no further notice of him, and then went off, and soon after returned to the rope-walk with a party of thirty or forty soldiers, headed by a tall negro drummer, and challenged the rope-makers to come out. All hands then present, being about 13 or 14, turn'd out and beat them off, considerably bruised. And further saith not.

SAMUEL BOSTWICK.

Suffolk,

Suffolk, ff. Boston, March 19, 1770.

Samuel Bostwick, above-named, after due examination, made oath to the truth of the above affidavit, taken to perpetuate the remembrance of the thing.

Before RI. DANA, Just. Peace. and of the Quorum.
JOHN HILL, Just. Peace.

(No. 24.)

I William Tyler of lawful age do testify and say, that on the evening of the fifth of March; a little after nine o'clock, as I was coming up King-street, just before I got to the Custom-house I saw the centinel running after a boy, and immediately heard him cry out as tho' in great distress. I asked the boy what was the matter, he told me *the centinel had struck him with his gun and bayonet*, because he asked Capt. Goldfinch for some money that he owed him. The centinel said, that he should not use an officer ill in the the street. Soon after the boy left the centinel and went away, and immediately ten or twelve soldiers came running up Silsby's alley, crying out, *Where are your Sons of Liberty?* and went from thence to Cornhill. I further testify, that when the above complaint was made of the centinel's striking the barber's boy, there were *few people* in the street; *I saw but five or six about them, who immediately dispersed.* I then left King-street and went up to Cornhill.

WILLIAM TYLER.

Suffolk,

Suffolk, st. Boston, March 21, 1770.

William Tyler above-named, after due examination, made oath to the truth of the aforesaid affidavit, taken to perpetuate the remembrance of the thing.

Before JOHN RUDDOCK, Just. Peace and of the
Quorum,
JOHN HILL, Just. Peace.

(No. 25.)

HENRY BALS of lawful age testifies and says, that going from his house in Winter-street, on Monday evening the fifth of March, to see a friend in the neighbourhood of the Rev. Dr. Cooper's meeting-house, that the bell was ringing for nine o'clock when he came out of his house, and that he proceeded down the main street, and going near Draper's alley, leading to Murray's barracks, through which he purposed to pass, heard some boys huzzaing, and imagines that there were *six or seven of them, and not more*; and presently after he saw two or three persons in said alley with weapons, but cannot positively say what they were.—Soon after several more came into the alley and made a sally out, and those that came out were soldiers, and thinks were all grenadiers, as they were stout men, and *were armed with large naked cutlasses; they made at every body coming in their way, cutting and slashing*; the said deponent very narrowly escaped receiving a cut from the foremost of them, who pursued him below Mr. Simpson's stone shop, where he made a stand; presently after, going up Cornhill he met an oyster-man, who said to the deponent, *Damn it, this is what I*

H

got

got by going up, and shewed the deponent a large cut-
 be had received from one of the soldiers with a cut-
 lass over his right shoulder; said deponent thinking it
 not safe, but very dangerous for him to go through the
 alley, he returned home by the way of King-street
 through Royal Exchange-lane, and passed by the cen-
 tinel at the corner of the Custom-house; and said de-
 ponent further says, that *he never saw fewer persons in*
King-street, considering the pleasantness of the evening,
and verily believes there was not twelve persons between
the Crown Coffee-house and the bottom of the Town-house;
 he imagines it to be then about fifteen or twenty mi-
 nutes after nine. After said deponent got to the head
 of the Town-house, he met a great many persons who
 enquired of him about the affair; the said deponent
 told them there had been an affray by Murray's bar-
 racks, but that it was then over. And further this de-
 ponent saith not.

HENRY BASS.

Suffolk, ff. Boston, March 16, 1770.

*The above-named Henry Bass personally appear-
 ing, and being carefully examined and duly
 cautioned to testify the whole truth, maketh
 solemn oath to the fore-written deposition by
 him subscribed, taken to perpetuate the re-
 membrance of the thing.*

Before R^t. DANA, Just. of Peace and of the Quorum,
 JOHN HILL, Just. Peace.

(No.

(No. 26.)

I William Le Baron of Boston of lawful age testify and say, that on Monday evening the fifth day of this instant March, about ten minutes after nine o'clock, being in King-street with my brother Francis Le Baron, saw a soldier, the centry of the custom-house door, running after a barber's boy; the boy called out as if he was in distress, and the soldier pursuing him with his firelock told him, if he did not hold his tongue *he would put a ball through him*; after which the soldier returned to his post; immediately after this I heard a great noise in Silsby's lane, so called, and immediately about thirteen or fourteen soldiers appeared in King-street, near the watch-house, with their drawn swords, cutlasses, and bayonets, calling out, *Where are the damn'd boogers; cowards; where are your Liberty boys?* at which time there was *not more than eight or ten persons in King-street*; one of the soldiers came up to me, damn'd me, and *made several passes at me with a drawn sword*, the last of which the sword went between my arm and breast, and then I run, as I had nothing to defend myself, and was pursued by a soldier with a naked bayonet, *who swore he would run me through*; at which time your deponent cried, Fire! and soon after the bells rung. And further your deponent saith not.

WILLIAM LE BARON.

Suffolk, st. Boston, March 19, 1770.

William Le Baron above named, after due examination, made oath to the truth of the above-written affidavit, taken to perpetuate the remembrance of the thing.

Before R^t. DANA, Just. of Peace and of the Quorum,
JOHN HILL, Just. Peace.

(No. 27.)

William Lewis testifies and says, that on the evening following Monday the fifth instant, about nine o'clock, he passing through King-street in order to go into Cornhill-street, while he was crossing King-street heard some people wrangling at the Custom-house door, and he immediately saw four soldiers of the 29th regiment jump out from between the Watch-house and the Town-House steps, at the east end of the house, in their short jackets, *with drawn swords in their hands*, two of whom run after the deponent and pursued him close until he got to his home in Cornhill street, where, just as he entered the door, *one of the soldiers struck at him either with his sword or bayonet*, but the deponent rather thinks it was the latter, as he afterwards found a three-square hole cut in the skirt of his furtout, which he verily believes was made by the blow that the soldier struck at him. And further saith not.

WILLIAM LEWIS.

Suffolk, ff. Boston, March 20, 1770.

William Lewis above-named, after due examination, made oath to the truth of the above affidavit, taken to perpetuate the remembrance of the thing.

Before JOHN RUDDOCK, Just. Peace and of the
Quorum,
JOHN HILL, Just. Peace.

(No.

(No. 28.)

Nathaniel Thayer of lawful age testifies, that on Monday evening the fifth of March, about nine of the clock, as he sat in his house in Cornhill, he heard a great noise, at which he went to the door, and saw a number of people by Mr. Quincy's door, near Murray's barracks, where he heard the sticks and clubs going, upon which fire was cried, and presently ran five soldiers as he supposes from the main-guard, with swords or cutlasses, swearing and damning, and saying "Where are they? *cut them to pieces.*" The soldiers in their waistcoats came to his door and insulted him; so he shut his door and went in.

NATH. THAYER.

Suffolk, ff. Boston, March 19, 1770.

Nathaniel Thayer above-named, after due examination, made oath to the truth of the above affidavit, taken to perpetuate the remembrance of the thing.

Before R^t. DANA, Just. of Peace and of the Quorum,
JOHN HILL, Just. Peace.

(No. 29.)

I Isaac Parker of lawful age testify and say, that being at Mr. Richard Salter's house on the evening of the fifth current, heard a great noise in the street, upon which I went to the entry-door, and saw a great number of soldiers in their jackets without sleeves, *having naked cutlasses in their hands, flourishing them*
over

over their heads, one of whom assaulted me with a naked cutlass, aiming a stroke at my head, which I happily avoided by a sudden retreat in-doors.

ISAAC PARKER.

Suffolk, ff. Boston, March 19, 1770.

Isaac Parker above-named, after due examination, made oath to the truth of the above-written affidavit, taken to perpetuate the remembrance of the thing.

Before R^t. DANA, Just. of Peace and of the Quorum,
JOHN HILL, Just. Peace.

(No. 30.)

I Bartholomew Kneeland of Boston, merchant, being of lawful age testify and say, that on Monday evening the fifth instant (being at my lodgings at the house of my sister Mrs. Mehetable Torrey, widow of the late Mr. Samuel Torrey, deceased) about fifteen minutes after nine of the clock, hearing a bell ring, which I supposed was for fire, went immediately to the front door, followed by Mr. Matthias King, Mrs. Torrey, and two others of the family; standing at the door for the space of four or five minutes, *I saw a number of soldiers with broad swords and bayonets in the main street near the town pump, making a great noise; one of the said soldiers, when nearly opposite to me, spake to me the following words, viz. Damn you, what do you do there? get in; to which I made no answer, the same soldier immediately crossed the gutter, and coming up to me pointed his naked bayonet within*
six

six inches of my breast; I told him to go along, and then I retired into the house. In about half an hour's time after the above, I heard a volley of small arms fired off in Kingstreet; and upon enquiry was told that three men were killed and one wounded.

BART. KNEELAND.

Suffolk, ff. Boston, March 12, 1770.

Bartholomew Kneeland above-named, after due examination, made oath to the above-written affidavit, taken to perpetuate the remembrance of the thing.

Before R^t. DANA, Just. of Peace and of the Quorum,
JOHN HILL, Just. Peace.

(No. 31.)

I Nathaniel Appleton of lawful age testify, that on Monday evening the fifth instant, between nine and ten o'clock, I was sitting in my house in Cornhill, heard a noise in the street, I went to my front door and saw several persons passing up and down the street; I asked what was the matter? was informed that the soldiers at Murray's barrack were quarrelling with the inhabitants. Standing there a few minutes, I saw a number of soldiers, about 12 or 15, as near as I could judge, come down from the southward, running towards the said barrack *with drawn cutlasses*, and appeared to be passing by, but on seeing me in company with Deacon Marsh at my door, they turned out of their course and *rushed upon us with uplifted weapons, without our speaking or doing the least thing to provoke them,*

them, with the utmost difficulty we escaped a stroke by retreating and closing the door upon them.

I further declare, that at that time my son, a lad about 12 years old, was abroad on an errand, and soon came home and told me, that he was met by a number of soldiers with cutlasses in their hands, one of which attempting to strike him, the child begged for his life, saying, Pray soldier save my life, on which the soldier replied, *No damn you, I will kill you all, and smote him with his cutlass,* which glanced down along his arm and knocked him to the ground, where they left him: after the soldiers had all passed, the child arose and came home, having happily received no other damage than a bruise on the arm—I further declare, that the above related transactions happened but a few minutes before the soldiers fired upon the people in King-street. And further saith not.

NATH. APPLETON.

Suffolk, ff. Boston, March 20, 1770.

Nathaniel Appleton above named, after due examination, made oath to the truth of the above affidavit, taken to perpetuate the remembrance of the thing.

Before JOHN RUDDOCK, Jus. Peace and the Quorum,
JOHN HILL, Jus. Peace.

(No. 32.)

Jeremiah Belknap of lawful age testifies and says, that on the first appearance of the affray in Cornhill on Monday evening the fifth instant, hearing a noise
he

he ran to his door and heard Mr. William Merchant say he had been struck by a soldier, and presently saw to the number of eight or nine soldiers come out of Boylstone's alley into the street, *armed with clubs and cutlasses*. The deponent went out into the street and desired them to retire to their barracks, upon which one of them, with a club in one hand and cutlass in the other, with the latter made a stroke at the deponent; when finding there was no prospect of stopping them, the deponent ran to the main guard, and called for the officers of the guard; the reply was, there is no officer here. Several of the soldiers came out of the guard-house, and the deponent told them, if there was not a party sent down there would be bloodshed; just as the deponent spoke these words he was attacked by two soldiers *with drawn cutlasses*, supposed of the party from Murray's barracks, *one at his breast and the other over his head*. One of the guards said, this is an officer, meaning the deponent, I believe a Constable; on which the two assailants retired and put up their cutlasses. And further saith not.

JEREMIAH BELKNAP.

Suffolk, ff. Boston, March 16, 1770.

The above-named Jeremiah Belknap personally appeared, and being carefully examined, and duly cautioned to testify the whole truth, maketh solemn oath to the forewritten deposition by him subscribed, taken to perpetuate the remembrance of the thing.

Before R. I. DANA, Just. of Peace and of the Quorum,
JOHN HILL, Just. of Peace.

I John Coburn of lawful age testify and say, than on the evening of the fifth of March instant being alarmed by the cry of fire, and ringing of bells, ran out of my house with my bags and buckets; upon going to Mr. Payne's door, he told me it was not fire, it was a riot. I sent my buckets home again, and went to Mr. Amory's corner with Mr. Payne, and Mr. Walker the builder came along and said, the soldiers were in the street, in Cornhill, and Dock-square, with their *drawn cutlasses, cutting and flashing every body in their way*, and the inhabitants wanted help, and said, Pray, gentlemen, run, or words to that purpose. I returned again to my house, and a few minutes after, at the head of Royal Exchange-lane, in the street, I saw a few, *not exceeding fifteen or twenty persons*, stop, as I supposed talking what had happened. I went to Mr. Payne's door and stood in his entry with him, I believe, about ten or fifteen minutes, and heard some words with the people and the centinel, such as, Do fire if you dare; but no further than words, not so much as to touch him, as I saw, neither did I see more than *five or six* that had so much as sticks in their hands, *all entirely unarmed, without any weapons*. Mr. Harrison Gray jun. came into the entry to us, and upon this immediately came an officer with a party of six or seven men with their guns breast-high and cleared the way, and by their behaviour I did not know but they would fire: I said it was not prudent to tarry there, went directly into my own house, and called all my family in. To the best of my judgment, there was not more than *fifty or sixty people* in the street when the party came, and I believe it was not exceeding two minutes from the time that I left Mr. Payne to the firing of the guns. And further your deponent saith not.

JOHN COBURN.

Suff.

Suffolk, ff. Boston, March 16, 1770.

The above-named John Coburn personally appearing, and being carefully examined, and duly cautioned to testify the whole truth, maketh solemn oath to the afore-written deposition by him subscribed, taken to perpetuate the remembrance of the thing.

Before R^t. DANA, Just. Peace and of the Quorum.
JOHN HILL, Just. Peace.

(No. 34.)

I Robert Polley of lawful age testify and declare that on Monday evening the fifth instant as I was going home observed about ten persons standing near Mr. Taylor's door, after standing there a small space of time I went with them towards Boylston's-alley, opposite to Murray's barracks; we met in the alley about eight or nine soldiers, some of whom were armed with drawn swords and cutlasses, one had a tongs, another a shovel; with which they assaulted us, and gave us a great deal of abusive language, we then drove them back to the barracks with sticks only; we looked for stones or bricks, but could find none, the ground being covered with snow. Some of the lads dispersed, and myself with a few others were returning peaceably home, when we met about nine or ten other soldiers armed with a naked cutlass in one hand and a stick or bludgeon in the other; one of them said, "Where are the sons of bitches?" They struck at several persons in the street, and went towards the head of the alley. Two officers came and endeavoured to get them into the barracks. One of the lads proposed to ring the bell. The soldiers,

diers went through the alley, and the boys huzza'd and said they were gone through Royal Exchange-lane into King-street. Myself and some of the boys then went into King-street, I saw two or three snow-balls strike the side of the Custom-house, near which a centinel stood. The centinel kept the boys off with his bayonet charged breast-high, *which he frequently pushed at them.* I then saw eight or nine soldiers with a leader come from the main guard towards the Custom-house, where they drew up, three facing up the street, and three fronting the street. *They kept continually striking and pushing with their bayonets at the people who pressed towards them, without offering any insult as I saw.* I then went down Royal-exchange-lane, when I was in the middle of the lane I heard the discharge of a gun, which was immediately followed by about seven others. And further saith not.

his
Robert Polley,
mark.

Attest. Wm. Palfrey.

Suffolk, ff. Boston, March 17, 1770.

Robert Palley above-named, after due examination, made oath to the truth of the above affidavit, taken to perpetuate the remembrance of the thing.

Before R^t. DANA, Just. Peace and of the Quorum.
JOHN HILL, Just. Peace.

(No,

(No. 35.)

SAMUEL Atwood of Welfleet, of lawful age, testifies and says, that a few minutes after nine of the clock on Monday evening last, lying on board a vessel in the town dock, he heard a noise and disturbance at the upper end of Dock Square, and going up he found the soldiers and inhabitants engaged in the narrow passes round Murray's barracks so called; the latter being mostly boys unarmed, dispersed, on which ten or twelve soldiers armed with drawn cutlasses, clubs and bayonets bolted out of the alley into the square and met the deponent, who asked them if they intended to murder people? *They answered, yes, by God, root and branch, saying here is one of them;* with that one of them struck the deponent with a club, which was repeated by another: the deponent being unarmed turned to go off, and he received a wound on the left shoulder, which reached the bone, disabled him, and gave him much pain. Having gone a few steps, the deponent met two officers, and asked them, Gentlemen, what is the matter? *They answered, you will see by and by;* and as he passed by Colonel Jackson's, he heard the cry, *Turn out the Guards.*

SAMUEL ATWOOD.

Suffolk, ff. March 16, 1770.

The above-named Samuel Atwood appeared before us, two of his Majesty's Justices of the peace for the said county of Suffolk, and being carefully examined, and duly cautioned to declare the whole truth, made oath to the truth of the above testimony by him subscribed, taken to perpetuate the remembrance of the thing.

Before, R. I. DANA, Just. Peace, and of the Quorum.
JOHN HILL, Justice Peace.

(No.

CAPTAIN James Kirkwood, of lawful age, testifies and says, that about nine of the clock in the evening of the fifth day of March current, he was going by Murray's barracks, hearing a noise, stopt at Mr. Rhoads's door, opposite to the said barracks, where said Rhoads was standing, and stood some time and saw the soldiers coming out of the yard from the barracks, armed with cutlasses and bayonets, and rushing through Boylston's-alley into Cornhill. Two officers, namely, Lieutenants Minchin and Dickson, came out of the mess-house and said to the soldiers, My lads, come into the barrack, and don't hurt the inhabitants, and then retired into the mess-house. Soon after they came to the door again, and found the soldiers in the yard; and directly upon it *Ensign Mall* came to the gate of the barrack yard, and *said to the soldiers, Turn out, and I will stand by you! this he repeated frequently, adding, kill them! stick them! knock them down! run your bayonets through them! with a great deal of language of like import.* Upon which a great number of soldiers came out of the barracks with naked cutlasses, *beaded by said Mall*, and went through the aforesaid alley, some officers came and got the soldiers into their barracks; and that Mall, with his sword or cutlass drawn in his hand, as often had them out again; but they were at last drove into their barracks by the aforesaid Minchin and Dickson.

JAMES KIRKWOOD.

Suffolk, ff. Boston, March 21, 1770.

James Kirkwood, above-named, after due examination, made oath to the truth of the aforesaid

said affidavit, taken to perpetuate the remembrance of the thing.

Before JOHN RUDDOCK, Just. Peace and of the
Quorum.

JOHN HILL, Just. Peace.

(No. 37.)

MATTHIAS King of Halifax, in Nova Scotia, of lawful age, testifies and says, that in the evening of the fifth day of March instant, about nine of the clock, he was at his lodgings at Mrs. Torrey's, near the town pump, and heard the bells ring and the cry of fire; and upon which he went to the door, and saw several soldiers coming round the south side of the town-house armed with bayonets, and something which he took to be broad-swords; that one of those people came up almost to him and Mr. Bartholomew Kneeland; and they had but just time to shut the door upon him, otherwise he is well assured they must have fell victims to their boundless cruelty. He afterwards went into the upper chamber of the said house and was looking out of the window when the drum and the guard went to the barrack; and he saw one of the guards kneel and present his piece with a bayonet fixed, and heard him swear he would fire upon a parcel of boys who were then in the street, but he did not. He further declares, that when the body of troops was drawn up before the guard-house, (which was presently after the massacre) he heard *an officer say to another, that this was fine work, and just what he wanted*; but in the hurry he could not see him, so as to know him again.

MATTHs. KING.

Suffolk,

Suffolk, ff. Boston, March 17, 1770.

Matthias King above-named, after due examination, made oath to the truth of the above affidavit. Taken to perpetuate the remembrance of the thing.

Before R^r. DANA, Just. Peace, and of the Quorum:
JOHN HILL, Just. Peace.

(No. 38.)

BArtholomew Broaders of lawful age testifies and says that on Sunday evening being the fourth instant preceding the massacre, he went up to see Patrick Dines, a soldier of the 29th regiment, who worked with Mr. Piemont, and in Dawson's room heard serjeant Daniels say, that *the officers said*, since patience would not do, *force must*. And that the soldiers must not bear the affronts of the inhabitants any longer, but *resent them, and make them know their distance*; and further, that the inhabitants would never be easy, and that he should desire to make the *plumbs fly about their ears, and set the town on fire round them*, and then they would know who and who were of a side. Said Daniels asked Edward Garrick, fellow-apprentice to the deponent, if he knew where he could get a stick that would bear a good stroke? Garrick replied, you must look for one. And the deponent further saith, that about eight o'clock on Monday evening he went down King-street and met twelve of the town's people with clubs, who said that they had been attacked by the soldiers; that he followed the town's people to the conduit, and then returned home. Soon after Mr. Green's maid and his daughter called him out of the shop,

shop, and asked him to go to the apothecary's; and then they, with the *deponent*, returned to the Custom-house: in going he met his fellow-apprentice, and they went and stood upon the Custom-house steps, and Mr. Hammond Green came out, saying, Come in, girls; then *the deponent and his fellow-apprentice*, by the maid's invitation, *went in also*. Soon after Sawny Irving, so called, *came in* (as he thought) without a hat, seemed a little angry, and he thinks asked for a candle (the maid has since told him he did ask for one) then he went through the room along with Hammond Green, the latter returned into the kitchen, then he left the house and went home; after which the *deponent* came down King-street, and went through Quaker-lane, and coming up the lane again, saw the centinel at the Custom-house leave his post and come into the middle of the street, and said to the *deponent's* fellow-apprentice, who he thought had said something of an officer's not paying his debts, Let me see your face; the boy answered, I am not ashamed to show my face; immediately upon which the centinel fetched a sweeping stroke with his gun, upon the side of his head, which made him reel and stagger about, and cry much. The *deponent* asked what he was struck for; he answered, For nothing: he then asked the centinel what he meant by thus abusing the people; he replied, Damn your blood, if you do not get out of the way, I will give you something; he then fixed his bayonet, and pushed at them, and they both run—then one Richard Ward, another fellow-apprentice, asked the one struck, what it was for, and endeavoured to get his stick to strike the centinel, but he told him not to, and came away; then he heard a huzza or two, and as he got up Silsby's-alley, up came a number of grenadiers, as he thought about ten, with clubs, cutlasses, and bayonets, crying out, Where are the

damn'd yankeys? He replied, what is the matter—they answered, We will let you know. He then run into his master's entry, and as running in, saw near twenty other soldiers with bayonets, &c. flourishing, coming from the guard-house as he thought; immediately after he heard the bells ring, and then as he took it, the same party, with a serjeant at their head, came running by, knocking down and flashing all the town's people they met with; then he heard people who were running ask where the fire was. He told them it was no fire, but the soldiers near Justice Quincey's were fighting with the inhabitants.—He then went towards Justice Quincey's, and found the soldiers had retired to their barracks, when three cheers were given by the inhabitants.—He then went down to King-street, and heard the people talking of the abuse his fellow-apprentices had received from the centinel, but saw no insult offered the centinel, the people being in the middle of the street.—One came up with a cane, appeared a gentleman, and spoke to the centinel, and then went away; then the centinel went up the steps of the Custom-house and pointed his gun; some of the inhabitants then said he is going to fire—then he took down his gun and loaded it; while he was loading, one Thomas Greenwood, a waiter, went into the Custom-house door, and it was shut immediately; and then Mr. Green's son John said the centinel was a going to fire; but he saw no abuse offered him, or any danger he was in. He then went down Royal Exchange lane, met a number of people who were also dispersing near Dock-square. He then said to one Cox, and the people, that the soldiers were going to fire upon the inhabitants at the commissioners steps; some of the people went up upon this news to King-street; another man came from King-street, and said to them, Come up into King-street. He then went up Silsby's-alley,

alley, and when he got to Mrs. Eustis's shop, heard a gun go off, and afterwards several others in a short space of time after one another. Soon after he was told that three men were killed; then heard the bells ring, and saw the people assemble fast in King-street. The deponent further saith, that on the night above-said the snow was deep upon the ground, and well remembers that when the centry called for the main guard, there were not above 10 or 20 people in King-street near the Custom-house. And further saith not.

BARTHOLOMEW BROADERS.

Suffolk, ss. Boston, March 19, 1770.

Bartholomew Broaders above-named, after due examination, made oath to the truth of the above-written affidavit, taken to perpetuate the remembrance of the thing.

Before R^t. DANA, Just. Peace and of the Quorum,
JOHN HILL, Just. Peace.

(No. 39.)

JOHN Goddard of Brookline testifies and says, as he was passing the street on Saturday last, being the third instant, he stopped near the barracks in Water-street, and sold several of the barrack people some potatoes about five of the clock in the afternoon, and found by their discourse some of the soldiers had returned from a fray near the rope-walks, and a number of soldiers came out of the barracks, he supposed about 20, with clubs, seemingly much enraged; and one in

a profane manner swore he would be revenged on them, if he fired the town.

JOHN GODDARD,

Suffolk, ff. Boston, March 22, 1770.

John Goddard above-mentioned, after due examination, made oath to the truth of the afore-said affidavit, taken to perpetuate the remembrance of the thing.

Before JOHN RUDDOCK, Just. Peace and of the
Quorum,
JOHN HILL, Just. Peace.

(No. 40.)

DANIEL Calfe of lawful age testifies and says, that on Saturday evening the third instant, a camp woman, wife to James M'Deed, a grenadier in the 29th, came into Daniel Calfe's shop, father to the deponent, and the people talking about the affrays at the rope-walk, and blaming the soldiers for the part they had acted in it, the woman said, *The soldiers were in the right, adding, that before Tuesday or Wednesday night they would wet their swords or bayonets in New-England people's blood.* The deponent further says, that on the evening of the fifth current, hearing the bells ring, which he took for fire, he went out, and near the old south meeting-house heard the soldiers were fighting with the inhabitants in King-street, whereupon he came into King-street, and seeing a number of people (*about one hundred*) he went up to the Custom house, where were posted about a dozen soldiers with an officer. That this deponent *heard said officer*

officer order the soldiers to fire, and gave the second word to fire before they fired ; and upon the officer's ordering the soldiers to fire the second time this deponent ran off about thirty feet distance, when turning about he saw one Caldwell fall, and likewise a molatto man.

DANIEL CALFE.

Suffolk, ff. Boston, March 21, 1770.

Daniel Calfe above-named, after due examination, made oath to the truth of the aforesaid affidavit, taken to perpetuate the remembrance of the thing.

Before JOHN RUDDOCK, Just. Peace and of the
Quorum,
JOHN HILL, Just. Peace.

(No. 41.)

I Thomas Marshall of lawful age do testify and declare, that on Monday night the fifth of March, four or five minutes after nine o'clock, coming from Colonel Jackson's house on Dock-square to my house in King-street, next door to the Custom-house, *I saw no person in the street, but the centinel at the Custom-house in perfect peace ;* after I had been in my house ten or twelve minutes, being in my shop in the front of the house, I heard the cry of Murder at a distance, on which I opened the door, but *saw no person in the street ;* but in half a minute I saw several persons rushing out from the main guard-house, crying out, *Damn them, where are they ?* They came down as far as the corner of Mr. Philips's house ; I saw their swords and bayonets

bayonets glitter in the moon-light, *crying out as before, and by Jesus let them come*; at which time I was called into the house by one of my family, but returned again in half a minute, and saw ten or twelve soldiers, in a tumultuous manner, in the middle of King-street, opposite to Royal Exchange-lane, flourishing their arms, and saying, *Damn them where are they?* and crying fire; the bells then rung as for fire; I was then called in again for half a minute, and returning again to the door, the inhabitants began to collect.—Soon after a party of soldiers came down the south side of King-street and crossed over to the Custom-house sentinel, and formed in a rank by him, *nor did I see any manner of abuse offered the sentinel, and in three minutes at the farthest they began to fire on the inhabitants*, by which several persons were killed, and several others were wounded. Some time after this, the party marched off very leisurely, *and without molestation*, and presently after the main guard was drawn out in ranks between the guard-house and town-house, and was joined by the piquet in the same manner, with fixed bayonets and muskets shouldered, except the front rank, who stood with charged bayonets, until the Lieutenant-governor came up. And I do further declare, as near as I could judge, *there was not more than 100 persons in the street at the time the guns were discharged.*

THO. MARSHALL.

Suffolk, ff. Boston, March 20. 1770.

Thomas Marshall, Esq; above-named, after due examination, made oath to the truth of the afore-written affidavit, taken to perpetuate the remembrance of the thing.

Before RI. DANA, Just. Peace and of the Quorum;
SAM. PEMBERTON, Just. Peace.

(No.

(No. 42.)

I John Leach junior, of lawful age, do testify and say, that on Monday night, between the hours of nine and ten in the evening of the fifth instant three youths and myself were passing through the alley leading from Justice Quincey's to Murray's barracks (so called) when we had got about half way through the alley a soldier of the 29th regiment with a dirty-looking man overtook us, the soldier being armed with a *cutlass or sword*, and the man with a short thick club and rushing through us; one of the youths asked what the matter was—by that the man that had the club *struck one of the youths on the shoulder*; another of the youths asked him what he meant, by that the soldier came up and *struck the youth with his sword or cutlass* on his arm, which did him considerable damage; then we all ran up the alley and asked for assistance, when soon came up some more soldiers out of their barracks thro' the alley, armed with *cutlasses, swords, shovels, and tongs, cutting and slashing* that we were obliged to run up the alley and stand at the head of the alley, and keep them as long as we could—but there were so many that we were obliged to run, but they immediately made after us and *knocked several of us down, myself for one*—Some time after two officers of the 29th regiment came up the alley and drove the soldiers home to their barracks, and then *the people chiefly dispersed*, myself for one; as I was going down Dock-square to go home I heard a number of people hallow, run up King-street, for the soldiers are knocking people down; after some time considering what the matter was I ran up Royal Exchange-alley, so called, when I had got to the head of the alley, I saw about eight
 soldiers

soldiers standing round the centry box by the custom-house with their guns levelled breast high, and a considerable number of people standing in King-street; when I had been there about three minutes I heard the word *Fire* (but who it came from I cannot say) but nobody seemed to mind it; about half a minute after I heard the word *Fire* again, and some other words, but could not tell what they were; directly the soldier on the right hand *fired*, I had a blow on my back which I thought was from the *butt of a gun*; I was then *going off* when *I heard five or six guns go off*, which I took to be nothing but powder at first, till I see *two men drop*, by this the people seemed to *disperse*; then I was going up by the town-house when I saw the people bringing along two dead men, a little while after the whole of the 29th regiment drew up by the town-house; I stayed a little while longer and made the best of my way home. And further I say not.

JOHN LEACH jun.

Suffolk, ff. Boston March 21, 1770.

John Leach jun. above-named, after due examination, made oath to the truth of the aforesaid affidavit, taken to perpetuate the remembrance of the thing.

Before JOHN RUDDOCK, Just. Peace and of the
Quorum,
JOHN HILL, Just. Peace.

(No. 43.)

I The subscriber of lawful age testify and say, that Monday evening the fifth instant March 1770, being at the south part of the town between the hours of nine and ten o'clock, I heard the bells in the centre of the town ring, and fire cried, ran immediately for King-street, where I supposed it was, and to my great astonishment I saw number of soldiers with presented bayonets, commanded by an officer whom I did not then know; the soldiers formed a semi-circle round the centinel box to the custom-house door—I went immediately up to them and spoke to the fourth man from the corner, who stood in the gutter, and asked him if the soldiers were loaded, he replied, Yes! I then asked (addressing myself to the whole) if they intended to *fire*, was answered positively, *Yes, by the eternal God.* I then looked round to see what number of inhabitants were in the street, and computed them to be about *fifty, who were then going off as fast as possible*; at the same time I observed a tall man standing on my left-hand, who seemed not apprehensive of the danger he was in, and before I had time to speak to him I heard the word *Fire!* and immediately the report followed; the man on my left hand dropt. I asked him if he was hurt, but received no answer, I then stooped down and saw him gasping and struggling with death.—I then saw another man lying dead on my right-hand, but further advanced up the street. I then saw the soldiers loading again, and I ran up the street to get some assistance to carry off the dead and wounded. Doctor Jos. Gardner and David Bradley came down with me to the corps, and as we were stooping to take them up, the soldiers presented at us again; I then saw an officer passing busily behind them.—We carried

off the dead without regarding the soldiers. I then saw an officer pass before the soldiers and hove up their arms, and said, Stop firing, do not fire any more; upon which they shouldered.—I then went close up to them, and addressing myself to the whole, told them I came to see some faces that I might be able to swear to another day—Capt. Preston, who was the officer, turned round and answered (in a melancholy tone) perhaps you may. After taking a view of each man's face I left them. They soon after ran up to the main-guard house. I have nothing farther to say.

BENJ. BURDICK, jun.

Suffolk, ff. Boston, March 20, 1770.

Benjamin Burdick jun. above-named, after due examination, made oath to the truth of the aforesaid affidavit, taken to perpetuate the remembrance of the thing.

Before JOHN RUDDOCK, Just. Peace and of the
Quorum,
JOHN HILL, Just. Peace,

(No. 44.)

I Charles Hobby of lawful age testify and say, that on Monday evening the fifth instant, between the hours of nine and ten o'clock, being in my master's house was alarmed with the cry of fire, I ran down as far as the town-house, and then heard that the soldiers and the inhabitants were fighting in the alley by Dr. Cooper's meeting-house; I went through the alley, I there saw a number of soldiers about the barracks,
some

some with musquets, other without: I saw a number of officers at the door of the mess-house almost fronting the alley, and some of the inhabitants intreating the officers to command the soldiers to be peaceable and retire to their *barracks*. One of the officers, viz. Lieut. *Minchin*, replied, that the soldiers had been abused lately by the inhabitants, and that if the inhabitants would disperse, the soldiers should follow the example. Capt. Goldfinch was among the rest of the officers in or about the steps of the mess-house door, but did not command the soldiers. I then left them and went to King-street. I then saw a party of soldiers loading their musquets about the custom-house door, after which they all shouldered. I heard some of the inhabitants cry out, *Heave no snow-balls*; others cried, They dare not fire. Captain Preston was then standing by the soldiers, when a snow-ball struck a grenadier, who immediately fired, *Capt. Preston standing close by him. The Captain then spoke distinctly, Fire, Fire!* I was then within four feet of Capt. Preston, and *know him well*; the soldiers fired as fast as they could one after another. I saw the Molatto fall, and Mr. Samuel Gray went to look at him, one of the soldiers, at the distance of about four or five yards, *pointed his piece directly for the said Gray's head and fired.* Mr. Gray, after struggling, turned himself right round upon his heel and fell dead. Capt. Preston some time after ordered them to march to the guard-house. I then took up a round hat, and followed the people that carried him down to a house near the Post-office. And further saith not.

CHARLES HOBBY.

Suffolk, ff. Boston, March 20, 1770.

Charles Hobby above-named, after due examination, made oath to the truth of the aforesaid
 L 2 *affidavit,*

affidavit, taken to perpetuate the remembrance of the thing.

Before JOHN RUDDOCK, Just. Peace and of the
Quorum,
BELCHER NOYES, Just. Peace.

(No. 45.)

I William Tant of lawful age testify and say, that on Monday fifth instant, being then in a house on the Long Wharff, hearing a bell ring, imagined it was for fire; whereupon I run up King-street, and inquiring the cause, was informed, that there had been a number of the inhabitants of the town insulted by the soldiers in different places. As I got a-breast of Quaker-lane, I met a number of persons to the amount of *thirty or forty, mostly boys and youngsters*, who assembled in King-street before the Custom-house, and gave three cheers, and some of them, being near the centry at the Custom-house door, damn'd, him and bid him fire and be damned; and some snow-balls were throwed, or other things: whereupon the centry stept on the steps of the Custom-house door, and loaded his piece, and struck the butt of it against the steps, presented it at the people several times; at length the people drawing nearer to him, he knocked at the Custom-house door, and *I saw it opened about half way*. In the space of six or seven minutes I saw a party of soldiers come from the main guard, and draw themselves up in a line from the corner of the Custom-house to the centry-box; the people still continued in the street, crying fire, fire and be damn'd, and hove some more snow-balls: whereupon I heard a musket go off, and in the space of two or three seconds, I heard the word

word fire given, but by whom I know not; and instantly the soldiers fired one after another. I then stood between the centry-box and the custom-house door. And further I know not.

WILLIAM TANT.

Suffolk, ff. Boston, March 20, 1770.

William Tant above-named, after due examination, made oath to the truth of the aforesaid affidavit, taken to perpetuate the remembrance of the thing.

Before JOHN RUDDOCK, Just. Peace, and of the
Quorum,
BELCHER NOYES, Just. Peace.

(No. 46.)

I Thomas Cain of lawful age testify and say, that on Monday the fifth instant, being in a house on the Long Wharff, I heard a bell ring, which I imagined was for nine o'clock, but being informed by a person in my company that it was 12 minutes past that hour by his watch, I then concluded the bell rung for fire, so I run up King-street, in company with Mr. William Tant, and asking a few people whom I met, the cause of the bell's ringing, was answered, the soldiers had insulted some of the town's people by the rope-walks. I then went down Quaker-lane as far as Justice Dana's house, where I met a number of people coming up, and asked them if there had been any disturbance at or near the rope-walks, they answered me, that there had been several people insulted,
and

and knocked down by the soldiers in different parts of the town. I then came up into King-street, where they assembled together below the town-house (to the best of my knowledge) *between 30 and 40 persons, mostly youngsters or boys*, and when there, they gave three cheers, and asked where the soldiers were (I imagine they meant them that had insulted them); some of the people assembled being near the centry at the Custom-house door, damn'd him, and I saw some snow-balls or other things throwed that way, whereupon the centry stepped on the steps at the Custom-house door and loaded his piece, and when loaded struck the butt of his firelock against the steps three or four times, in the interim the people assembled, continuing crying fire, fire and be damn'd, and some of them drawing near to him he knocked at the Custom-house door very hard, whereupon *the door was opened about half way, and I saw a person come out*, which I imagined to be a servant without a hat, his hair tied, and hung down loose. In the space of about five minutes, to the best of my remembrance, I perceived a party of soldiers come from the main guard directly through the concourse of people that was then in King-street, with their muskets and fixed bayonets, pushing to and fro, saying, Make way; when they had got a-breast of the Custom-house they drew up in a line from the corner of Royal Exchange-lane to the centry-box at the Custom-house door, and being in that position for the space of five or six minutes, with their muskets levelled breast high and pointed at the people that was still in the street, huzzaing, &c. and crying fire, as before, and some more snow-balls or other things being hove, I heard and saw a flash of a gun that went off near the corner of the aforementioned lane, and in the space of two seconds I heard *the word fire given*, but by whom I can-

I cannot ascertain; but *the soldiers fired regularly one after another, and when discharged, loaded again; I then stood behind the centry box between the soldier next it and the Custom-house.*

THOMAS CAIN.

Suffolk, fr. Boston, March 20, 1770.

Thomas Cain, after due examination, made oath to the truth of the aforesaid affidavit, taken to perpetuate the remembrance of the thing.

Before JOHN RUDDOCK, Just. Peace and of the Quorum.

BELCHER NOYES, Just. Peace.

(No. 47.)

I Peter Cunningham of lawful age testify, that on Monday evening the fifth current, on the cry of fire, a few minutes after nine o'clock, coming into King-street, I saw Capt. Preston standing before the door where the main guard was kept, and heard him say, *Turn out the guard!* Then I passed down King-street, and saw the centry at the Custom-house with his bayonet charged, dodging it about as if pushing at the boys, who seemed to be laughing at him, and *none of them within 12 or 15 feet of him.* In a few minutes after Capt. Preston arrived with a party of soldiers, perhaps seven or eight, and took post between the Custom-house door and the west corner of the said house, round the centry box. *As soon as they had taken their post, they began to push their bayonets at the people, though none seemed to offer them any offence.* The captain quickly commanded

commanded them to prime and load, which being effected, they began to push as before. The captain came before them and put his arm under three or four of their pieces, and putting them into an upright posture, then retired from my sight; and presently they again levelled and the firing began, and proceeded till 10 or 11 pieces were discharged. On the people's scattering a little, I saw two men near me lay dead on the street, and observed the soldiers to load again, and moved off. And further I saw not.

PETER CUNNINGHAM.

Suffolk st. Boston, March 20, 1770.

Peter Cunningham above-named, after due examination, made oath to the truth of the afore-said affidavit, taken to perpetuate the remembrance of the thing.

Before JOHN RUDDOCK, Just. Peace and of the
Quorum,
JOHN HILL, Just. Peace.

-(No. 48.)

I SAMUEL CONDON of lawful age testify and say, that on the night of the 5th instant March, being on the Long Wharf, between the hours of nine and ten o'clock, and hearing the bells ring as for fire, I ran up King-street; on my coming nigh the town-house I saw a number of people, about 30 or 40, chiefly consisting of boys and lads, who proceeded down said street opposite the Custom-house; the centinel on their approach placed himself on the Custom-house steps

steps, and charged his musket and presented the same against the body of the people, *who offered him no insult or violence*; in a few minutes after, a party came down from the main guard, consisting of about eight soldiers, with their guns and bayonets in a charged position, headed by an officer, and posted themselves by the west corner of the custom-house round the centry-box in a half-circle; at this time I stood near the door of the Royal Exchange Tavern, but apprehending danger, as the soldiers stood with their muskets and bayonets in a charged or presented position, moved from thence down said Royal Exchange-lane, and stood nigh the west end of the custom-house; during this interim *I saw no violence offered to the soldiers*; in a few minutes after, having placed myself as aforesaid, a musket was fired by the soldier who stood next the corner; in a few seconds after another was fired, and so in succession till the whole was discharged, to the number of eight or thereabouts: while the muskets were discharging I walked down the lane, and when the firing ceased I turned and went up to the head of the lane, when I saw the people carrying off one dead person, and two more laying lifeless on the ground about two muskets length from the said soldiers, inhumanly murdered by them, the blood then running from them in abundance: a person asked the soldier who fired first, the reason for his so doing, the soldier answered, *Damn your bloods, you boogers, I would kill a thousand of you!* the soldiers were then charging their muskets again, in order for a second discharge in case any insult had been offered them.

SAMUEL CONDON.

Suffolk, ff. Boston, March 20, 1770.

Samuel Condon above-named, after due examination, made oath to the truth of the aforesaid
M *affidavit,*

*affidavit, taken to perpetuate the remembrance
of the thing.*

Before JOHN RUDDOCK, Just. Peace and of the
Quorum,
JOHN HILL, Just. Peace.

(No. 49.)

EBENEZER HINCKLEY of Boston, of lawful age declares, that on Monday evening the 5th of March current, that being at home in his house he heard the bells ring, and came out, and came through Cornhill-street to the corner of King-street, near the main guard-house; immediately as he turned the corner he saw a party of soldiers come out of the main guard-house, and he the deponent then saw an officer, as he thought, look out of the chamber window, and *call to them, and said, Fire upon them, damn them, fire upon them.* The deponent then followed them, viz. the said party of soldiers, to the place where they were posted, being before the centry-box in a half circle, near the custom-house; they reaching forward pushing their bayonets, and *endeavouring to stab people*, provoked a few boys to throw two or three snow-balls, and challenged them to fire: in about a minute after the deponent heard the word *Fire*, and then saw a stick thrown which hit a soldier's gun, whereupon *the corner soldier fired, and the rest followed in the firing*—when the firing was, the deponent verily believes there was *not more than fifty or sixty persons in that part of the street*—and it appeared to the deponent, that the soldiers going down to the custom-house in so hostile a manner was the occasion of drawing the most of those people there.
—And

—And the deponent further saith, that through the whole he saw not one brick-bat or stone thrown, and believes *that it was naturally impossible to come at any, as the snow was considerably deep.*

Memorandum. After the party of soldiers were got to their place, he saw Captain Preston, who commanded them, whom he knew very well—And further saith not.

EBENEZER HINCKLEY,

Suffolk, ff. Boston, March 20, 1770.

Ebenezer Hinckley above-named, after due examination, made oath to the truth of the above affidavit, taken to perpetuate the remembrance of the thing.

Before JOHN RUDDOCK, Just. of Peace and of the
Quorum,
JOHN HILL, Just. Peace.

(No. 50.)

FRANCIS ARCHBALD jun. of lawful age testifies and saith, that on Monday evening the 5th of March instant, at about ten minutes past nine of the clock of said evening, as he was going through the alley that leads from Cornhill to Brattle-street (so called) with several others with him, he saw a soldier with a cutlass flourishing it about in said alley, and a mean-looking fellow with him, with a club in his hand; then the deponent heard somebody outside of the alley speak to the said soldier, and told him to put up his cutlass, for it was not clever to carry such a weapon in the night without it was in a scabbard;

M 2

whereupon

whereupon said foldier came up to him the deponent, with his cutlafs pointing towards his breast, and damn'd him, and asked him what he had to fay againft it; whereupon the deponent told him to ftand off. The said foldier then went up to one of the lads that was with him, and ftruck him (as the deponent thought); the deponent then went out of said alley, and hallowed to fome lads who were ftanding near the town-house; when they came to the deponent's affiftance, they made said foldiers retire through said alley to the barracks; in about five or fix minutes after, about twelve or fifteen foldiers came out of said barracks (as I heard the next day they were encouraged and fet on by Ensign Mall belonging to the 29th regiment) *with cutlaffes, tongs, and clubs, and came up to them and damn'd them, and said, Where is the yankey boogers?* when they began to ftrike the people in the ftreet with said weapons: and as the deponent was ftanding with Mr. John Hicks, one of the foldiers came up with a pair of tongs, and juft going to make a ftroke at said deponent, said Hicks knocked him down; whereupon the deponent, when said foldier got up, knocked him down again, and broke his wrift (as he was informed afterwards); then the deponent was going home to the South-end. Juft as he got to the town-house, he looked down King-ftreet, and faw about fifty or fixty people ftanding in the middle of said ftreet, oppofite the custom-house; then the deponent went down to fee what was the matter: when he got down said ftreet, he faw a party of foldiers coming from the main guard (amongft which was one Matthew Kilroy of the 29th regiment) going to the centinel that was ftanding at the custom-house; then the deponent went over to the fide of the way, and there ftood about two minutes, when he faw the fafh,
and

and heard the report of a gun that was fired from said centinel's post, and six or seven fired directly afterwards: then the deponent saw three men laying near said centinel's post dead. And the deponent further adds, that at the time of his standing there as aforesaid, he saw no-body molest or trouble said centinel or party of soldiers (as aforesaid) in any shape whatever. And further the deponent saith not.

FRANCIS ARCHBALD jun.

Suffolk, ss. Boston, March 17, 1770.

Francis Archbald jun. above-named, after due examination, made oath to the truth of the above written affidavit, taken to perpetuate the remembrance of the thing.

Before RI. DANA, Just. of Peace and of the Quorum,
JOHN HILL, Justice Peace.

(No. 51.)

I NATHANIEL FOSDICK of lawful age testify and say, that on the night of the 5th instant, betwixt the hours of nine and ten o'clock, being in my house with my family, hearing the bells ring for fire ran out to assist the inhabitants, ran towards the north; when I came to the town-house I see the people running down King-street, I followed, when I came by the guard-house I see some soldiers come out and fix their bayonets; I ran to know where the fire was; after I had got into King-street I made a halt; as I stopt I was pushed behind; I turned round and saw some soldiers with their bayonets charged, which came
against

against me. I asked them if this was the fire that is cried; they made no answer: I asked them what they meant by coming on me in that manner; their answer was, Damn you, stand out of our way: I told them I would not move for no man under the heavens; I offended no one. Therefore they passed me, some on my right hand and some on my left. I followed behind them; they went to the centry-box, and faced round and formed in a half-circle. I saw a number of people near the middle of King-street, about twenty yards from the centry-box. I spoke out and desired that no disturbance might be betwixt the inhabitants and the soldiers; for if the soldiers were in fault, there was their officer, which I looked upon to be the officer of the day, and he could settle the affair in one minute: then I spake to two men to speak to the officer; then I see two or three advance towards the officer; I heard some words pass, what they were I know not. I turned round and spake to the people to step off, and let them that went to the officer settle the dispute; the people standing still, I turned towards the officer and see him fall into the regular circle, then I heard the word *Fire*; on my left one gun was fired off by a soldier on their right; upon which I rushed in, then seeing the first soldier that fired run at some persons, and fall upon the ground, I hallowed to take his gun from him; then I received three pushes by their bayonets, two in my left arm, and one in my breast; that at my breast I struck off with a stick, and the gun went off instantly: then I drew back, and finding one dead, as I thought, on my left and one on my right, I then run over to Quaker-lane, where I saw a number of people; I desired them to step out and keep the soldiers from getting off: from thence I went over to the other side the street, to the lane near the town watch-house, where I desired the people to step out, and not let the
soldiers

soldiers get off, for I would go home and get my gun and bring a party against them; which I did, but meeting some of the inhabitants returning, they told me the soldiers were gone off, and affairs would be settled to-morrow; on that I went home.

NATH. FOSDICK.

Suffolk, ss. Boston, March 17, 1770.

Nath. Fosdick above-named, after due examination, made oath to the truth of the above-written affidavit, taken to perpetuate the remembrance of the thing.

Before Rⁱ. DANA, Just. of Peace and of the Quorum,
SAM. PEMBERTON, Just. Peace.

(No. 52.)

Joseph Hooton jun. of lawful age testifies and says, that coming from the south end of Boston, on Monday evening the 5th inst. against the old south meeting-house he heard a great noise and tumult, with a cry of murder often repeated. Proceeding towards the town-house the deponent passed by several soldiers running that way *with naked cutlasses and bayonets in their hands*. The deponent asked one of them what was the matter, and was answered by him, *by God you shall all know what is the matter soon!* Between nine and ten o'clock the deponent came into King-street, and stood about the middle of the street, or nearer the custom-house, in the direction of Quaker and Royal Exchange-lanes, and saw about eight or ten soldiers drawn up near the custom-house, and an officer, which he since understands

stands was *Capt. Preston*, between the soldiers and the custom-house. There was much noise and huzzaing among the boys and people, and some of the boys the deponent observed drew near to the soldiers. In this hurry and confusion the deponent heard many ask each other whether they thought they would fire? and it was generally concluded they would not: but in about five minutes after the deponent first stood there, he *heard the officer give the word FIRE*, they not then firing, *he again said FIRE*, which they still disobeying, *he said with a much higher voice, DAMN YOU, FIRE, BE THE CONSEQUENCE WHAT IT WILL!* Soon after this one of the guns went off—in a few seconds another, and so on, till six or seven were discharged. Near the deponent's left hand dropt a man, which he since learns was Mr. James Caldwell, on which he left the place. And further saith not.

JOSEPH HOOTON jun.

Suffolk, ff. Boston, March 15, 1770.

The said Joseph Hooton jun. personally appearing, maketh solemn oath to the truth of the fore-written deposition by him subscribed.

Before me EDM. QUINCY, Just. Pacis.

(No. 53.)

I Richard Palmes of Boston, of lawful age, testify and say, that between the hours of nine and ten o'clock of the fifth instant I heard one of the bells ring, which I supposed was occasioned by fire, and enquiring where the fire was, was answered, that *the soldiers were abusing the inhabitants*; I asked where, was first answered at

at Murray's barracks, I went there and spoke to some officers that were standing at the door; I told them I was surprized they suffered the soldiers to go out of the barrack after eight o'clock; I was answered by one of the officers, Pray do you mean to teach us our duty; I answered I did not, only to remind them of it: one of them said, you see that the soldiers are all in their barracks, and why do not you go to your homes? Mr. James Lamb and I said, Gentlemen, let us go home, and were answered by some, home, home; accordingly I asked Mr. William Hickling if he was going home, he said he was. I walked with him as far as the Post-office; upon my stopping to talk with two or three people Mr. Hickling left me; I then saw Mr. Pool Spear going towards the town-house, he asked me if I was going home, I told him I was: I asked him where he was going that way, he said he was going to his brother David's. But when I got to the town pump, we were told there was a rumpus at the Custom-house door. Mr. Spear said to me, you had better not go; I told him I would go and try to make peace. I immediately went there and saw *Capt. Preston* at the head of six or eight soldiers in a circular form, with guns breast high and bayonets fixed; the said Captain stood almost to the end of their guns. I went immediately to Capt. Preston (as soon as Mr. Bliss had left him) and asked him if their guns were loaded; his answer was, they were loaded with powder and ball; I then said to him, I hope you do not intend they shall fire upon the inhabitants; his reply was, by no means. When I was asking him these questions my left hand was on his right shoulder; Mr. John Hickling had that instant taken his hand off my shoulder, and stepped to my left, then instantly I saw a piece of snow or ice fall among the soldiers, on which the soldier at the officer's right hand stepped back and *discharged his gun*, at the space of some seconds the soldier at his left *fired* next, and the others one after

the other. After the first gun was fired, I heard the word *Fire*, but who said it, I know not; after the first gun was fired the *said officer had full time to forbid the other soldiers not to fire, but I did not hear him speak to them at all*; then turning myself to the left I saw one man dead, distant about six feet. I having a stick in my hand made a stroke at the soldier who fired, and struck the gun out of his hand; I then made a stroke at the officer, my right foot slipped, that brought me on my knee, the blow falling short, he says I hit his arm; when I was recovering myself from the fall, I saw the soldier that fired the first gun endeavouring *to push me through with his bayonet*, on which I threw my stick at his head, the soldier starting back, gave me opportunity to jump from him into Exchange lane, or I must have been inevitably run through my body. I looked back and saw three persons laying on the ground, and perceiving a soldier stepping round the corner as I thought to shoot me, I ran down Exchange-lane, and so up the next into King-street, and followed Mr. Gridley, with several other persons, with the body of Capt. Morton's apprentice up to the prison house, and saw he had a ball shot through his breast; at my return I found that the officer and soldiers were gone to the main guard. *To my best observation there were not seventy people in King-street at the time of their firing, and them very scattering*; but in a few minutes after the firing there were upwards of a thousand; finding the soldiers were gone I went up to the main-guard and saw there the soldiers were formed into three divisions, the front division in the posture of platoon firing, and I expected they would fire. Hearing that his Honor the Lieutenant governor was going to the Council-chamber, I went there; his Honor looking out of the door desired the people to hear him speak; he desired them to go home and he would enquire into the affair in the morning, and that the law should take its course, and said, I will live and die by the law. A gentleman

man desired his Honor to order the soldiers to their barracks; he answered, it was not in his power, and that he had no command over the troops, and that it lay with Col. Dalrymple and not with him, but that he would send for him, which after some time he did; upon that a gentleman desired his Honor to look out of the window facing the main-guard, to see the position the soldiers were in, *ready to fire on the inhabitants, which he did after a good deal of persuasion*, and called for Col. Carr, and desired him to order the troops to their barracks in the same order they were in; accordingly they were ordered to shoulder their guns, and were marched off by some officers. And further saith not.

RICH. PALMES.

Suffolk, ff. Boston, March 17, 1770.

Richard Palmes above-named, after due examination, made oath to the truth of the above affidavit, taken to perpetuate the remembrance of the thing.

Before R^t. DANA, Just. of Peace and of the
Quorum,
JOHN HILL. Just. Peace,

(No. 54.)

I William Wyat of Salem, coaster, testify and say, that last Monday evening, being the fifth day of March current, I was in Boston, down at Treat's wharf, where my vessel was lying, and hearing the bells ring supposed there was a fire in the town, whereupon I hastened up to the town-house, on the south side of it, where I saw an officer of the army lead out of the guard-house there seven or eight soldiers of the army, and lead them down in seeming haste to the Custom-house on the north side of King-street, where I followed them, and when the officer had got there with the men, he bid them face about. I stood just below them on

the left wing, and *the said officer ordered his men to load*; which they did accordingly with the utmost dispatch; then they remained about six minutes, with their firelocks rested and bayonets fixed, but not standing in exact order. I observed *a considerable number of young lads, and here and there a man amongst them about the middle of the street*, facing the soldiers, but not within ten or twelve feet distance from them; I observed some of them, viz. the lads, &c. had sticks in their hands, laughing, shouting, huzzaing, and crying fire; but could not observe that any of them threw any thing at the soldiers, or threatened any of them. Then the *said officer* retired from before the soldiers, and stepping behind them towards the right wing, *bid the soldiers fire*; they not firing, he presently again bid them fire; they not yet firing, *he stamped and said, Damn your bloods fire, be the consequence what it will*; then the second man on the left wing fired off his gun, then, after a very short pause, they fired one after another as quick as possible, beginning on the right wing; the last man's gun on the left wing flashed in the pan, then he primed again, and the people being withdrawn from before the soldiers, most of them further down the street, *he turned his gun toward them and fired upon them*. Immediately after the principal firing, I saw three of the people fall down in the street; presently after the last gun was fired off, the said officer, who had commanded the soldiers (as above) to fire, sprung before them, waving his sword or stick, said, Damn ye, rascals, what did ye fire for, and struck up the gun of one of the soldiers who was loading again, whereupon they seemed confounded, and fired no more. I then went up behind them to the right wing, where one of the people was lying, to see whether he was dead, where there were four or five people about him, one of them saying, he was dead; whereupon one of the soldiers said, Damn his blood he is dead, if he ever sprawl again I will be damned for him.—And I remember as *the said officer* was

was going down with the soldiers towards the Custom-house, a gentleman spoke to him and said, *Capt. Preston*, for God's sake keep your men in order and mind what you are about. And further I say not.

March 7, 1770. WILLIAM WYAT.

Suffolk, ff. Boston, March 13, 1770.

William Wyatt, above named, after due examination, made oath to the truth of the above written affidavit, taken to perpetuate the remembrance of the thing.

Before R^r. DANA. Just. of Peace and of the Quorum,
JOHN TUDOR, Just. Peace.

(No. 55.)

[Henry Knox of lawful age testify and say, that between nine and ten o'clock P. M. the fifth instant I saw the centry at the Custom-house charging his musket and a number of young persons crossing from Royal Exchange to Quaker-lane; seeing him load, stopped and asked him what he meant? and told others, the centry was going to fire. They then huzza'd and gathered round him at about ten feet distant; I then advancing went up to him, and *the centry snapped his piece upon them*. Knox told him, if he fired, he died. The centry answered, he did not care, or words to that purpose, *damning them* and saying, if they touched him, he would *fire*. The boys told him to fire and be damned. Immediately on this I returned to the rest of the people and endeavoured to keep every boy from going up, but finding it ineffectual, went off through the crowd and saw a detachment of about eight or nine men and a corporal headed by *Capt. Preston*. I took *Capt. Preston* by the coat, and told him for God's sake to take his men back again, for if they fired his life must answer for the consequence; he replied, he was sensible

sensible of it, or knew what he was about, or words to that purpose; and seemed in great haste and much agitated. *While I was talking with Capt. Preston the soldiers of his detachment had attacked the people with their bayonets. There was not the least provocation given to Capt. Preston or his party, the backs of the people being towards them when they were attacked. During the time of the attack I frequently heard the words, Damn your blood, and such like expressions. When Capt. Preston saw his party engaged he directly left me, and went into the crowd, and I departed. The deponent further says, that there was not present in King-street above seventy or eighty people at the extent, according to his opinion.*

HENRY KNOX.

Suffolk, ff. Boston, March 17, 1770.

Henry Knox above named, after due examination, made oath to the truth of the above-written affidavit, taken to perpetuate the remembrance of the thing.

Before R^t. DANA, Just. of Peace and of the Quorum,
JOHN HILL. Just. Peace.

(No. 56.)

EDward Payne of Boston, merchant, testifies and says, that on the evening of the fifth instant, on hearing the bells ring, he supposed there was fire, but on going out he was informed there was not any fire, but *a riot of the soldiers*, and that the soldiers were cutting down Liberty-tree.——That he went into King-street, where he met Mr. Walker the shipwright, who informed him, that the soldiers at Smith's barracks had sallied out upon the inhabitants, and *had cut and beat a number of persons*, but were drove back to their barracks.——That he (the deponent) then went to the east end of the Town-house, where he heard the same report from divers persons.——That whilst he stood there, a number of persons, *not exceeding twenty*, some of them with sticks in their hands, came up the lane by Silsby's into King-

King-street, at which time there was, as near as he can judge, about *the same number in King-street*, when a lad came up from the Custom-house, and informed the people, that the centinel there had knocked down a lad belonging to their shop, upon which the people moved that way, and surrounded the centinel.—That this deponent then went home, and stood upon the fell of his entry door, which is nearly opposite to the east end of the Custom-house, where he was soon joined by Mr. George Bethune and Mr. Harrison Gray; that the people round the centinel were then crying out Fire, Fire, damn you why don't you Fire; soon after, he perceived a number of soldiers coming down towards the centinel, with their arms in a horizontal posture, and their bayonets fixed, who turned the people from before the Custom-house, and drew up before the door; the people, who still remained in the street and about the soldiers, continued calling out to them to fire. In this situation they remained some minutes, when he heard a gun snap, and presently a single gun fired, and soon after several others went off one after another, to the number of three or four, and then heard the rammers go into the guns as though they were loading; immediately after which three or four more went off in the same manner; at which time a ball passed through the deponent's right arm, upon which he immediately retired into the house. That at the time of the centinel's being surrounded, and at the time of the firing, it appeared to the deponent, that there were from *fifty to an hundred persons in the street, and not more.* The deponent further saith not.

EDWARD PAYNE.

Test. Mr. Payne subscribed his name with his left hand
JOHN AMORY.

Suffolk, ff. Boston, March 21. 1770.

Edward Payne abovenamed, after due examination, made oath to the truth of the aforesaid affidavit, taken to perpetuate the remembrance of the thing.

Before

Before JOHN RUDDOCK, Justice Peace and of the
Quorum,
JOHN HILL, Just. Peace.

(No. 57.)

John Gammell of lawful age testifies and says, that soon after the bells rang on Monday evening the 5th instant, he stood by the Town-house, and saw a party, consisting of about fifteen or sixteen soldiers, come out of the main guard, and a serjeant or corporal ordered them to prime and load, which they did, and a detachment of about six men with a corporal filed off to Williams's court, as was said, to call Captain Preston, and the rest to the Custom-house: a few minutes after, they took their post by the Custom-house, the deponent went down and saw them pushing at the people with their bayonets, and telling them to stand off or they would fire upon them; the people laughed at them; and told them they dared not to fire. Not long after the deponent heard the word FIRE, and quickly the man on the right wing fired, and successively several more.—On this the deponent walked off through Quaker-lane. And further saith not.

JOHN GAMMELL.

Suffolk, ff. Boston, March 17, 1770.

John Gammell above-named, after due examination, made oath to the truth of the above affidavit, taken to perpetuate the remembrance of the thing.

Before RI. DANA, Just. of Peace and of the Quorum,
JOHN HILL, Just. of Peace.

(No. 58.)

I Charlotte Bourgate of lawful age, an indented servant to Edward Manwaring, Esq; being at my master's lodgings at Mr. Hudson's at the north end, on the night of the horrid massacre in King-street of the 5th instant, heard the bells ring, which I took to be
for

for fire, (about half an hour before the bells rung my master, with one Mr. Munroe, said they would go to the Custom-house and drink a glass of wine), then I went out, there being *nobody in the house that I knew of, but Mr. Hudson and wife*; then I went up to the Custom-house door and knocked, when a young man, which I have since heard was named Hammond Green, *let me in* and locked the door, when I saw my master and Mr. Munroe come down stairs, and go into a room, when four or five men went up stairs pulling and haleing me after them, and said, *My good boy come*; when I was *carried into the chamber*, there was but *one light in the room*, and that *in the corner of the chamber*, when I saw a tall man *loading a gun* (then I saw *two guns in the room*) my master not being in the chamber; there was a *number of gentlemen in the room*: after the gun was loaded, the tall man gave it to me and told me to *fire*, and said, *He would kill me if I did not*; I told him, *I would not*. He *drawing a sword out of his cane*, told me, if I did not *fire* it, he would *run it through my guts*. The man putting the gun out of the window, it being a little open, I *fired it side way up the street*; the tall man then *loaded the gun again*; I *heard the balls go down*. The man then laid it on the window again, and told me to *fire* it. I told him, *I would not fire again*; he told me again, *He would run me through the guts if I did not*; upon which I *fired the same way up the street*. After I *fired the second gun*, I *saw my master in the room*; he *took a gun and pointed it out of the window*; I *heard the gun go off*; then a tall man came and clapped me on the shoulders above and below stairs, and said *That's my good boy, I'll give you some money to-morrow*. I said, I don't want any money. There being a light in the lower room, and the door being upon the jarr, I saw it was the tall man that clapped me on the shoulder; then the young man, *Hammond Green, let me out*

of the door, there being *two or three people in the entry*; when I got out of the house, I saw a number of people in the streets, and I ran home as fast as I could, and set up all night in my master's kitchen. And further say, that *my master licked me the next night for telling Mrs. Waldron about his firing out of the Custom-house. And for fear that I should be licked again, I did deny all that I said before Justice Quincy, which I am very sorry for. And further I say not.*

his
CHARLOTTE  BOURGATE.
Mark.

Attest. ELISHA STORY.
EDWARD CRAFTS.

Suffolk. ff. Boston, March 23. 1770.

Charlotte Bourgate above-named, after due examination, made oath to the truth of the above affidavit, Edward Manwaring, Esquire, and John Munroe above named, were notified and present, and interrogated the deponent. Taken to perpetuate the remembrance of the thing.

¶ *Before, JOHN RUDDOCK, Justice Peace, and of the Quorum,*
JOHN HILL, Just. Peace.

(No. 59.)

Gillam Bass of lawful age testifies and says, that being in King-street on Monday night the 5th instant, after nine of the clock, *he saw about an hundred people gathered about the Custom-house, and presently came a party of armed soldiers with bayonets fixed from the main guard, keeping on the south side of King-street, 'till they came nearly opposite the Custom-house, and then passed over, driving through the people in so rough a manner, that it appeared to the deponent that they intended to create a disturbance. They posted themselves*

themselves between the Custom-house door and the west corner of it; and *in a few minutes began to fire upon the people.* Two or three of the flashes so high above the rest, that the deponent verily believes they *must have come from the Custom-house windows:* and further saith, that *he observed no violence to the soldiers at or before the firing, or to the Custom-house, by the people.*

GILLAM BASS.

Suffolk, ff. Boston, March 16, 1770.

Gillam Bass abovenamed, after due examination, made oath to the truth of the above affidavit, taken to perpetuate the remembrance of the thing.

Before RI. DANA, Just of Peace and of the Quorum,
JOHN HILL, Just. Peace.

(No. 60.)

BENJAMIN Alline of lawful age testifies and says, that on Monday evening the 5th current, hearing the bells ring after nine o'clock, he came into King street, and saw the Custom-house centry standing quietly in his place. About four or five minutes after the boys in the street came up near to him, and made a noise, on which the soldier returned to the Custom-house steps. The deponent quickly after this *saw the Custom-house door open,* and the centry turn that way, and soon shut again. The centry then faced the boys, and waved his gun about as if to keep them off, and in a few minutes eight or nine soldiers came down with an officer at their head, and placed themselves round the centry, and in a few minutes after, he heard the

word *Fire*, and they fired in succession, one after the other. The deponent further saith, that when he first arrived at the Custom-house, there did not seem to be more *than thirty or forty people round it*, mostly boys, and they offered no violence as he observed, only making a noise and huzzaing. And further saith not,

BENJAMIN ALLINE.

Suffolk, ss. Boston, March 17, 1770.

Benjamin Aline above-named, after due examination, made oath to the truth of the above-written affidavit, taken to perpetuate the remembrance of the thing.

Before RI. DANA, Just. Peace and of the Quorum,
JOHN HILL, Just. Peace.

(No. 61.)

I Francis Read of lawful age testify, that on Monday evening the 5th instant, hearing the bells ringing in the center of the town, I came into King-street and found *near an hundred people, mostly boys*, standing round at about 7 or 8 yards distance from the Custom-house, before which stood a soldier on centry. In a few minutes I saw a little man in a grey surtout with his hair clubb'd *open the Custom-house door and go in, and quickly after the centry went to said door then a little open, and seemed to speak with somebody in the house, after which the door was shut*, and the centry loaded his piece. In about three or four minutes I saw a party of soldiers come down from the main guard with an officer, which were posted in a semicircle from the door round the centry-box to the south west corner of the Custom-house. About five or six minutes after they

they were posted, I heard the word *fire from among the soldiers, and in a little time after the soldiers fired*; first one gun, then another, sometimes two at once, till 8 or 10 were fired. Casting my eyes about after the firing was over, *I saw the smoke of two discharges high above the rest*; on this I left the place. And further say not.

FRANCIS READ.

Suffolk, ff. Boston, March 20, 1770.

Francis Read above-named, after due examination, made oath to the truth of the aforesaid affidavit, taken to perpetuate the remembrance of the thing.

Before JOHN RUDDOCK, Just. Peace and of the
Quorum,
And BELCHER NOYES, Just. Peace.

(No. 62.)

I Dimond Morton of lawful age testify and say, that on Monday night the 5th instant, between the hours of nine and ten I heard the cry of Fire by my house. Immediately I ran out towards the town-house; when I got between the Old-South Meeting and the Old-Brick Meeting, I met some people, they told me there was no fire, but people gathered in King-street; immediately I left them and came towards the town-house, when I saw a number of people go round the Brazen-head corner, some crying they are this way, and I run in amongst them, and came down before the Custom-house, and there I saw a centinel walking backwards and forwards before the door.
Soon

Soon after I saw the centinel retreat back upon the stone of the Custom-house door, waving his bayonet breast-high all the way ; when he got on the stone he drew his cartridge to load his gun ; whilst he was loading his gun, I saw Thomas Greenwood, a waiter to the commissioners, run out from the people where I was, and run behind the centinel, and knock at the door of the customs, and was soon let in : by that time the centinel had his gun loaded. Then the people cried, You dare not fire ; and others said, Fire and be damn'd ; then the boys gave two or three cheers. Upon that I saw *Capt. Preston marching and leading down from the main guard eight or ten soldiers, with their bayonets fix'd, swinging their guns.* When they passed me, I followed them down to the Custom-house. In about two minutes Capt. Preston or some other person ordered them to load, which they did ; then I went towards Quaker-lane, when I saw the flash of a gun from the soldiers at the Custom-house, and a man fall before me ; the guns being repeatedly fired, I looked round and saw two or three men lay down on the snow. When I found there were three dead, and a number of others wounded, in about ten or fifteen minutes afterwards, I saw the soldiers march towards the main guard—the snow being at that time near a foot deep——And I further say, that I did not see *any insult offered to the centinel from the inhabitants ; and at the time the guns were fired there were not above sixty or seventy persons standing before the Custom-house door.*—And further I say not.

DIMOND MORTON.

Suffolk, ff. Boston, March 17, 1770.

Dimond Morton above-named, after due examination, made oath to the truth of the above-written

written affidavit, taken to perpetuate the remembrance of the thing.

Before R^r. DANA, Just. of Peace and of the Quo-
rum,
And JOHN HILL, Just. Peace.

(No. 63.)

BENJAMIN FRIZEL of Pownalborough, in the county of Lincoln, mariner, of lawful age, testifieth and saith, that in the evening of the 5th day of March current, going to Capt. Joseph Henshaw's at the south part of Boston, in his way thither, under Liberty-tree, exactly at eight o'clock of said evening, he saw there eleven soldiers, and an officer met them, dressed in a blue furtout; upon his speaking to them, they appeared very submissive, the officer ordering them to appear at their respective places *at the time*, and if they should see any of the inhabitants of the town, or any other people not belonging to them, with arms, clubs, or any other warlike weapons, *more than two* being assembled together, *to order them to stop, and ask them their business, and where they were going*; if they refused to stop, or tell them their business, or separate themselves, *to stop them* with their firelocks, *and all that shall take their part*: after giving these orders the officer went off to the northward, and the soldiers southward; upon which the deponent proceeded about his business as far as Wheeler's point, and while there, the bell rang as usual for fire, and he with others ran to the town-house, two engines being there drawn, the men attending, left them on the west end of the town-house, and going with others into King-street, *were stopped by two centinels of the main guard, and forbid to pass on their peril, and said, If they did they would*
fire

fire on them; but one man, somewhat bolder than the rest, said, as the bells rang for fire, and all the inhabitants of the town had good right to pass through any street or lane of the town, he should pass, and shouldering a stick he had in his hand, went forward and was followed by the deponent and many others into King-street, the deponent taking his station at the west corner of the house now called the Custom-house, and between the corner and the centry-box, where standing about two or three minutes, he saw six or seven soldiers come from the opposite side of the street, near to the head or opening of Royal Exchange-lane, where they halted, and some of them spoke to the centry at the Custom-house and faced about, in which posture they stood about two minutes, and in that time he heard *nothing said to them, or of them, by any of the inhabitants*; but heard two or three cheers given by the people, and two or three boatswain's *calls* piped, upon the last of which *the soldiers began their fire*, the deponent still standing at the corner of the Custom-house, the first discharge being only one gun, the next of two guns, upon which the deponent thinks he saw a man stumble; the third discharge was of three guns, upon which he thinks he saw two men fall, and immediately after were discharged five guns, two of which were by soldiers on his right hand, the other three, as appeared to the deponent, *were discharged from the balcony or the chamber-window of the Custom-house*, the flashes appearing on the left hand and higher than the right hand flashes appeared to be, and of which the deponent was very sensible, although his eyes were much turned to the soldiers, who were all on his right hand; soon after this the deponent saw five men on the ground, three whereof appeared to be dead, and the other two to be struggling; for the space of two minutes following all action ceased; after which the
 general

general cry was, Let us pick up the dead, and not let the soldiers have them; and thereupon the deponent assisted in supporting and steadying one who was wounded, till a chair was brought to carry him off.

BENJAMIN FRIZEL.

Suffolk, ff. Boston, March 22, 1770.

Benjamin Frizel above-mentioned, after due examination, made oath to the truth of the aforesaid affidavit, taken to perpetuate the remembrance of the Thing,

Before JOHN RUDDOCK, Just. Peace and of the
Quorum,
And JOHN HILL, Just. Peace.

(No. 64.)

JEREMIAH Allen of lawful age testifies and says, that in the evening of the fifth day of March current, being at about nine o'clock in the front chamber in the house occupied by Col. Ingersol in King street, he heard some guns fired, which occasioned his going into the balcony of the said house—that when he was in the said balcony, in company with Mr. William Molineux jun. and John Simpson, he heard the discharge of four or five guns, the flashes of which appeared to be to the westward of the centry-box; and immediately after, he the deponent heard two or three more guns, and saw the flashes thereof from out of the house now called *the Custom-house*, as they evidently appeared to him, and which he the said deponent at the same time declared to the aforesaid Molineux and Simpson,
P being

being then near him, saying to them, at the same time, *pointing his hand toward the Custom-house, There, they are out of the Custom-house.*—And further the deponent saith not.

JEREMIAH ALLEN.

Suffolk, ss.

The above-named Jeremiah Allen personally appearing, and being carefully examined, and duly cautioned to testify the whole truth, maketh solemn oath to the fore-written deposition by him subscribed, taken to perpetuate the remembrance of the thing.

Before R^r. DANA, Just. Peace and of the Quo-
rum,
JOHN HILL, Just. Peace,

(N^o 65.)

JOSIAH Simpson of lawful age testifieth and saith, that on the evening of the 5th of March current, at about nine of the clock he heard a bell ringing at the south part of the town, which caused him to leave his shop to make enquiry.—Soon after he heard that the soldiers had rose upon the inhabitants; that when he had got as far as Faneuil Hall, seeing a number of gentlemen standing together, the deponent made up to them, and asked them what the disturbance was; they answered him, that two young men had been abused by the soldiers—but that the soldiers had now returned to their barracks—he then proceeded with a number

number of others up Royal Exchange-lane : at the head of the lane some of the persons with him cried out, Here is a soldier, and huzza'd ; immediately the soldier who was centry near to the box before the Custom-house, repaired to the *Custom-house door* ; at which, with the knocker, the soldier gave three very hard strokes ; upon which *some person within side opened the door and spoke to him remarkably short, and then shut it again*. — The soldier then directly loaded his gun, knocking the breech twice hard upon the stone steps ; at the same time seven soldiers (as the deponent judges) with a commanding officer came and cried, ' Clear the way,' as he came along, then forming them into a half circle, ordered them to load : the deponent then made up as he could to the officer, and said, For God's sake don't fire upon the people ; he made him no answer : then turning to the inhabitants he the deponent expressed himself in the following manner ; For God's sake don't trouble these men, for they are upon duty and will fire : turning about to the soldiers he saw them making up to the inhabitants with their bayonets fixed (about ten feet off) directing them to stand off, attempting to drive them away with their bayonets : then he withdrew himself to the other side of the way, where seeing a man attempt to throw a club, he begg'd that he would not ; adding, that if he did the soldiers would fire, and he did not : the deponent then standing by Warden and Vernon's shop on the south side of King-street, with his back to the soldiers, immediately after heard the word *present* ; at which word he stooped down. — A little space of time ensued, and then he heard the words, *Damn you, fire* ; the sound of which words seemed to proceed from the left of all the soldiers, and very near the centry-box ; upon this *order* he judged two guns were discharged, and immediately three more, and then two more ; one of the

two last guns went about five or six inches over the deponent's back; after which he stood up, and another gun was discharged, which wounded one Robert Patterson in the arm, and the blood was sprinkled upon the deponent's hand and waistcoat: after the firing the deponent saw four persons drop; then looking towards the soldiers the deponent saw them making *towards the inhabitants with their fixed bayonets*; upon which he retired down Quaker-lane, and went round into the main street homewards, where he met a number of people going up Royal Exchange-lane—from thence he retired home.

JOSIAH SIMPSON.

The deponent further saith, *That he is satisfied there was not more than 70 or 80 people in King-street, who offered no violence to the soldiers or to any other persons, nor threatened any.*

JOSIAH SIMPSON.

Suffolk, ff. Boston, March 16th, 1770.

Josiah Simpson above-named, after due examination, made oath to the truth of the afore-written affidavit, taken to perpetuate the remembrance of the thing.

Before R I. DANA, Just. of the Peace and of the
Quorum,
JOHN HILL, Just. Peace.

(N^o 66.)

I John Wilfon of lawful age testify, that on Monday evening the 5th current, I was at Mr Burdett's at the head of Long-lane, and heard the bells ring and fire cried, and thereupon went in company with others to King-street, and saw no disturbance there; hearing the bells still ringing, I asked what was the matter? The people said the soldiers had insulted the inhabitants, on which I went to Cornhill, where the bustle had been, and found no soldiers there; then I came down King-street opposite the Custom-house, and saw a man with a light-coloured furtout coming from the main-guard go up to the centry, and lay his hand on his shoulder, and speak some words to the centry, and then *enter the Custom-house door*. On this the centry grounded the breech of his gun, took out a cartridge, primed and loaded, and shouldered his firelock. After this I drew back opposite Mr. Stone's, and in a few minutes saw a party of soldiers headed by an *officer*, coming down from the main-guard, crying to the inhabitants, *Damn you, make way, you boogers!* I not moving from my place was struck by one of them on the hip with the butt of his musquet, which bruised me so much that it was next day very sore and much discoloured. The *officer* seeing the soldier strike me, said to the soldier in an angry manner, *Why don't you prick the boogers?* The party drew up before the Custom-house door, and ranged to the west corner in a half circle, and charged their pieces breast high. Some small boys coming up made a noise to the soldiers, on which the *officer* said to them, *Why don't you fire? Damn you fire!* They hereupon fired, and two men fell dead
in

in my sight. I then left the place, and went over the street and assisted Paterson the wounded man in getting home. The deponent further saith, that when he got into King-street he saw no body but the centry walking backwards and forwards by the Custom-house, and then went to Cornhill as above; and at the time of firing he verily believes there were *not above fifty persons in the street near the Custom-house, the snow being at that time near a foot deep.* And further I say not.

JOHN WILLSON.

Suffolk, ff. Boston, March 19, 1770.

John Willson above-named, after due examination, made oath to the truth of the above-written affidavit, taken to perpetuate the remembrance of the thing.

Before R^t. DANA, Just. of the Peace, and of
the Quorum
And JOHN HILL, Just. of the Peace.

(No. 67.)

GEORGE Coster of the Bay of Bulls, in the island of Newfoundland, mariner, of lawful age, testifieth and saith, that being in Boston about nine of the clock in the evening of the 5th day of March current, he the deponent was standing in King-street, near the middle of the said street, and while there standing among a large number of other people, in about five or six minutes after he stopt, he heard the word of command given to the soldiers, *Fire*, upon which one gun was fired, which did no execution as
the

the deponent observed; about half a minute after two guns, one of which killed one Samuel Gray, a rope-maker, the other a molatto man, between which two men the deponent stood; after this the deponent heard the discharge of four or five guns more by the soldiers; immediately after which the deponent heard the discharge of two guns or pistols from an open window of the middle story of the Custom-house, near to the place where the centry box was placed, and being but a small distance from the window, he heard the people from within speak and laugh, and soon after he saw the casement lowered down; after which the deponent assisted others in carrying off one of the corps.

his
 GEORGE V. T. COSTER.
 Mark.

Suffolk, ss. Boston, March 16, 1770.

George Coster above-named, after due examination, made oath to the truth of the above-written affidavit, taken to perpetuate the remembrance of the thing.

Before RI. DANA, Just. of the Peace, and of
 the Quorum,
 JOHN HILL, Just. of the Peace.

(No. 68.)

SAMUEL Drowne of Boston, of lawful age, testified and saith, that about nine of the clock of the evening of the fifth day of March current, standing at his own door in Cornhill, saw about fourteen or fifteen

fifteen soldiers of the 29th regiment, who came from Murray's barrack, some of whom were armed with *naked cutlasses, swords, or bayonets, others with clubs, fire shovels, or tongs, and came upon the inhabitants of the town then standing or walking in Cornhill, and abused some, and violently assaulted others as they met them, most of whom were without so much as a stick in their hands to defend themselves, as the deponent very clearly could discern, it being moon-light, and himself being one of the assaulted persons. All or most of the said soldiers he saw go by the way of Cornhill, Crooked-lane, and Royal Exchange-lane into King-street, and there followed them, and soon discovered them to be quarrelling and fighting with the people whom they saw there, which the deponent thinks were not more than a dozen when the soldiers came there first, armed as aforesaid; of those dozen people the most of them were gentlemen, standing together a little below the town-house upon the Exchange. At the appearance of those soldiers so armed, the most of the twelve persons went off, some of them being first assaulted; after which the said soldiers were observed by the deponent to go towards the main-guard, from whence were at the same time issuing and coming into King-street five soldiers of said guard and a corporal armed with *firelocks*, who called out to the fore-mentioned soldiers armed with cutlasses, &c. and said to them, Go away; on which they dispersed and went out of King-street, some one way and some another. By this time were collected together in King-street about two hundred people, and then the deponent stood upon the steps of the Exchange tavern, being the next house to the Custom-house, and soon after saw Captain Preston, whom he well knew, with a number of soldiers armed with *firelocks*, drawn up near the west-corner of the Custom-*

Custom-house; and *at that instant* the deponent thinks so great a part of the people were dispersed at the sight of the armed soldiers, as that *not more than twenty or thirty remained in King-street* *; those who did remain being mostly sailors, and other persons meanly drest, called out to the armed soldiers, and dared them to fire; upon which the deponent heard *Captain Preston say to the soldiers, Damn your bloods, why don't you fire?* the soldiers not regarding those words of their captain, he immediately said, FIRE; upon which they *fired* irregularly, pointing their guns variously in a part of a circle as they stood. During the time of the soldiers firing, *the deponent saw the flashes of two guns fired from the Custom-house, one of which was out of a window of the chamber westward of the balcony, and the other from the balcony; the gun which he clearly discerned being pointed through the ballisters, and the person who held the gun in a stooping posture, withdrew himself into the house, having a handkerchief or some kind of cloth over his face.* After this the deponent assisted in carrying off the dead and wounded, as soon as the soldiers would permit the people so to do, for at first they were cruel enough to obstruct the carrying them off.

SAMUEL DROWNE.

* Mr. Drowne says, there were collected together in King-street about two hundred persons, and that at the sight of the armed soldiers they so far dispersed, as that not more than twenty or thirty remained in King-street.

This circumstance accounts for the diversity in some of the depositions, with regard to the number of persons in King-street about that time; such depositions probably referring to different moments.—Moments, because the whole disturbance in King-street, from its beginning to the firing, continued but a short space of time.

Q

Suffolk,

Suffolk, ff. Boston, March 16, 1770.

The before-named Samuel Drowne personally appearing, and being carefully examined, and duly cautioned to testify the whole truth, maketh solemn oath to the fore-written deposition by him subscribed, taken to perpetuate the remembrance of the thing.

Before Rⁱ. DANA, Just. of the Peace and of the Quorum,
JOHN HILL, Just. of the Peace.

(N^o. 69.)

I Robert Patterson of lawful age testify and say, that on Monday night the 5th current, being at Captain McNeill's at the North End, heard the bells ring and fire cried. I immediately ran till I got into Royal Exchange-lane, it being about a quarter after nine o'clock. I saw a number of people in the lane; I asked what was the matter, they told me, that the soldiers were going to kill all the inhabitants. I immediately went through the lane, and stood in the middle of King-street about ten or eleven minutes (the centinel then standing leaning against his box) when I saw an officer with seven or eight soldiers coming from the main-guard, clearing the way with their guns or bayonets, go below the centinel box, and turn up and place themselves around it, facing the people standing opposite Royal Exchange-lane; when I saw a man with a light-coloured surtout at the Custom-house door, the door being wide open, there standing with his shoulder against the side; then I heard the officer order the soldiers to load, which they did;

did; after that I heard the people say, Damn you, why don't you fire. In about a minute after, I heard the word *fire* (but from whom I cannot say) *which the soldiers did*. Looking round I saw three men lay dead on the snow; the snow being at that time near a foot deep. Immediately they loaded again. The people then gave three cheers, and cried out, Let's go in upon them and prevent their firing again; upon which they put on their hats and advanced towards them: my hand being raised to put on my hat, still advancing towards the soldiers, *the centinel up with his gun and fired, the balls going through my lower right arm, my hand immediately falling*, and finding myself wounded, made the best of my way home with help. And further I say not.

Test. Elisha Story. ^{his} ROBERT x PATTERSON:
Mark.

Suffolk, ff. Boston, March 20, 1770.

Robert Patterson above-named, after due examination, made oath to the truth of the aforesaid affidavit, taken to perpetuate the remembrance of the thing.

Before JOHN RUDDOCK, Just. of the Peace, and
of the Quorum,
JOHN HILL, Just. of Peace.

(No. 70.)

CATO, a negro man, servant to Tuthil Hubbart,
C Esq; being of lawful age testifies and says, that
Monday evening the fifth of March current, on
Q 2 his

his hearing the cry of fire, he ran into King-street, where he saw a number of people assembled before the Custom-house; that he stood near the centry-box and saw the soldiers fire on the people, who stood in the middle of said street; directly after which he saw two flashes of guns, one quick upon the other, from the chamber-window of the Custom-house; and that after the firing was all over, while the people were carrying away the dead and wounded, *he saw the Custom-house door opened, and several soldiers (one of whom had a cutlass) go into the Custom-house and shut the door after them; that before the soldiers fired, he heard a voice, saying, Damn you, why don't you fire? but did not see who it was.*

Test. John Edwards.

his
CATO (c.
Mark.

Suffolk, ff. Boston, March 16, 1770.

The above-named Cato, after careful examination, made oath to the truth of the above-written affidavit, taken to perpetuate the remembrance of the thing.

Before RI. DANA, Just. of the Peace, and of
the Quorum,
JOHN HILL, Just. of the Peace.

(No. 71.)

Daniel Usher of lawful age testifies and says, that coming into King-street about half after nine o'clock on Monday evening the fifth current, he
saw

saw several persons, mostly young folks, gathered between the Town-house and coffee-house, some of whom were talking to the centinel at the Commissioners or Custom-house; after some time the boys, at a distance, began to throw light snow-balls at him, which he seemed much enraged at, and went on to the Custom-house steps, where he appeared to have charged his gun, giving it a heavy stamp upon the door-step, as if to force down the lead, and then swore to the boys, *if they came near him he would blow their brains out.* About ten minutes after this, the deponent saw Captain Preston leading seven or eight men from towards the Town-house, and placed them between the Custom-house door and the centinel-box. About four or five minutes after they were posted, the snow-balls now and then coming towards the foldiers, the Captain commanded them *to fire*; upon this *one gun quickly went off*, and afterwards *he said, FIRE BY ALL MEANS!* others succeeding, and the deponent being utterly unarmed, to avoid further danger, went up round the Town-house till the fray was over. And further saith not.

DANIEL USHER.

Suffolk, ff. March 16, 1770.

The above-named Daniel Usher personally appearing, and being carefully examined, and duly cautioned to testify the whole truth, maketh solemn oath to the forswritten deposition by him subscribed, taken to perpetuate the remembrance of the thing.

Before RI. DANA, Just. of the Peace, and of
the Quorum,
JOHN HILL, Just. of the Peace.

(No. 72.)

(No. 72.)

I Robert Goddard of lawful age testify and declare, that on Monday evening the 5th instant, between the hours of nine and ten o'clock, being at my house at Wheeler's Point, I heard the cry of *fire*; I ran out, and came through Long-lane into King-street, right up to the north-west side of the Town-house: when I got there, I saw a number of gentlemen standing and talking, and heard them say, that there was a man stabbed through the arm, and that it was very hard that the people could not pass the streets without being stabbed. Immediately after, I heard some people cry out for assistance. I then went down into King-street, and in going down overtook an officer (as I thought) with eight or nine soldiers with bayonets charged breast high, *the officer holding a naked cutlass in his hand, swinging and calling, stand out of the way, and the soldiers cursing and damning, and pushing their bayonets to clear the way.* They went down to the Custom-house, and placed themselves just above the *centinel box*; the officer then ordered the soldiers to place themselves, which they did, in a half circle; with that the boys came up near to the soldiers (standing as before): the officer then said, Boys, go off, lest there be some murder done; with that the boys removed back a little distance, throwing snow-balls, the soldiers *pushing them with their bayonets, saying, Damn you, stand off*; with that the boys went forward again, and a man with a naked cutlass in his hand, who appeared to be the commanding officer (as before) gave the word *fire*, immediately a gun going off upon the left of me; I saw a man like a sailor go up to the commander, and strike him upon the left arm; immediately he the said officer said, Think

Think I'll be used in this manner; *damn you, fire, which they did*, one after another. After they had all fired, *he ordered them to prime and load again*; after that he ordered his men in the middle of the street, *and told them to clear their way with their bayonets breast high*; with that, looking round, I saw four men lay dead on the snow, *the snow being at that time near a foot deep*: then I went and helped the molatto man who was shot into Mr. Stone's house. After we got him in there, I saw him give one gasp; I then opened his breast, and saw two holes, one in each breast, where the balls had entered; after that went to the door, and looked, and saw the soldiers standing in the middle of the street, and saw two gentlemen talking with the officers and soldiers. Presently after went to see the molatto again; and returned back into the street, *saw all the soldiers at the main-guard house out, with their bayonets charged breast high*; with that, going home through Quaker-lane into Long-lane, about the middle of the lane saw two soldiers, *who told me to stand out of the way, or else they would stab me*. I immediately got out of the way, and made the best of my way home. And further say, that the grand jury desired me to go and see whether I should know the officer again; one of them going with me, I went up, and when I came to the gaol, I saw several people in the room with him. The gentleman of the grand jury (who went up with me) asked me which was the man, I told him that that gentleman (pointing to Captain *Preston*) looked very much like the man, and I verily believed he was the man that ordered the soldiers to *fire*. Don't you say so, says he; yes, Sir, said I, you look very much like the man. If you say so, said he, clapping his hands, I am ruined and undone. And further say, *that at the time of firing, there*

there was but about fifty or sixty persons, mostly boys, in King-street.

ROBERT GODDARD.

Suffolk, ff. Boston, March 22, 1770.

*Robert Goddard afore-named, after due examination, made oath to the truth of the
aforesaid affidavit, taken to perpetuate the
remembrance of the thing.*

Before JOHN RUDDOCK, Justice of the Peace, and
of the Quorum,
JOHN HILL, Justice of the Peace,

(No. 73.)

I John Hickling being of lawful age testify and say, that on Monday the 5th day of March 1770, returning from New Boston in the evening between the hours of nine and ten o'clock, I heard a noise and the cry of fire in King-street, and inquiring the cause, was informed *the soldiers intended to fire on the inhabitants;* immediately proceeding to the place, I saw eight or nine soldiers with fixed bayonets charged breast high, standing in a circular manner at the corner of the Custom-house, and an officer standing before them at the end of the bayonets, between the soldiers and the inhabitants: *I saw but a few scattering people, supposed to be about thirty in the street before them at that time,* and therefore was at a loss for the reason of such an appearance; going to the officer I found a young man named Bliss talking with him, I inquired his name of Bliss, who informed me that it was *Preston*. At that instant Mr. Richard Palmes came up and asked the officer,

officer, if he intended to fire upon the people? he answered, by no means; Palmes asked if the guns were loaded? Preston answered in the affirmative. Palms further asked, with powder and ball? *Preston answered they were.* The soldiers during this conversation assumed different postures, *showing their bayonets frequently at the people*; one in particular *pushing against my side, swore he would run me through*; I laid hold of his bayonet and told him, that nobody was going to meddle with them. Not more than ten seconds after this, I saw something white resembling a piece of snow or ice fall among the soldiers, which knocked the end of a firelock to the ground; *at that instant the word fire was given*, but by whom I know not; but concluded it did not come from the officer aforesaid, as I was within a yard of him, and must have heard him had he spoke it; *but am satisfied said Preston did not forbid them to fire*; I instantly leaped within the soldier's bayonet as I heard him cock his gun, which that moment went off between Mr. Palmes and myself. I thinking there was nothing but powder fired, stood still, till upon the other side of Mr. Palmes, and close to him, *I saw another gun fired*, and the man since called Attucks fall. I then withdrew about two or three yards, and turning saw Mr. Palmes upon his knee, and the soldiers pushing at him with their bayonets: during this the rest of the guns were fired, one after another, when I saw two more fall; I ran to one, and seeing the blood gush out of his head, tho' just expiring, I felt for the wound, and found a hole as big as my hand; this I have since learned was Mr. Gray. I then went to Attucks, and found him gasping, pulled his head out of the gutter and left him; I returned to the soldiers and asked them, what they thought of themselves, and whether they did not deserve to be cut to pieces, to lay men wallowing in their blood in such a manner?

R

they

they answered, God damn them, they should have stood out of our way. The soldiers were then loading their muskets, and told me upon my peril not to come any nearer to them. I further declare, that I heard no other affront given them than the buzzaiug and whistling of boys in the street.

JOHIN HIKLING.

Suffolk, ff. Boston, March 16, 1770.

The above named John Hickling personally appearing, and being carefully examined and duly cautioned to testify the whole truth, maketh solemn oath to the fore-written deposition by him subscribed, taken to perpetuate the remembrance of the thing.

Before RI. DANA, Justice of the Peace, and of
the Quorum,
JOHN HILL, Just. Peace.

(No. 74.)

I Obadiah Whiston of lawful age testify and say, that on the evening of the 5th instant, being at a house in Pond-lane, on hearing the bells ring, ran towards King-street, and in going I met a person who said there is no fire, but *the soldiers are fighting with the inhabitants.* I went down the north side of the Town-house into King-street, and there was *only a few scattering people in said street*; I came up to the Brazen-head in Cornhill, and saw a barber's boy, who told me he had been *struck by the soldiers*; then I went to the south side of the Town-house, and stood near
the

the main-guard, where a considerable number of persons stood: *Captain Preston* standing by the guard-house door, said, *Damn you, turn out guard*, which they obeyed, and then took off seven or eight soldiers from the right, and went down King-street, where I, with the chief of the people followed; and in going down, the soldiers pushed me, and said, Stand out of the way: I followed them (to see where they were going) as far as the Custom-house, where said Preston drew them up; and some boys being in the street, huzzaed; a few minutes after, as I stood there, I saw one gun go off, and several more were fired directly after; the people near me said, there were some persons killed; after which I saw one man dead.

OBADIAH WHISTON.

Suffolk, ff. Boston, March 21, 1770.

Obadiah Whiston *above named*, after due examination, made oath to the truth of the above affidavit, taken to perpetuate the remembrance of the thing.

Before JOHN RUDDOCK, Justice of the Peace, and
of the Quorum,
JOHN HILL, Justice of the Peace.

(No. 75.)

GEORGE Robert Twelves Hewes of lawful age testifies and says, that on the last night, about one o'clock, as he was returning alone from his house to the Town-house, he met serjeant Chambers of the 29th, with eight or nine soldiers, *all with very large clubs*

clubs and cutlasses, when Dodson, a soldier, spoke to him, and asked him how he fared, he told him very badly, to see his townsmen shot in such a manner; and asked him if he did not think it was a dreadful thing? said, Dodson swore by God it was a fine thing, and said, you shall see more of it. And on perceiving I had a cane, he informed serjeant Chambers of it, who seized and forced it from me, saying, I had no right to carry it. I told him, I had as good a right to carry a cane as they had to carry clubs; but they hurried off with it into the main-guard.

GEORGE ROBERT TWELVES HEWES.

March 6, 1770.

The deponent further adds, that just before the soldiers came from the main-guard to the Custom-house, there were about 15 or 16 little boys near the centry, who was standing on the steps of the Custom-house; and he saw a young man of a middling stature, with a grey coat and short curled hair, press by the centinel towards the door of the Custom-house, and knock at said door, upon which some person came and opened the door, and he went in, and shut the door immediately after him. And at the same time, the snow was near a foot deep in King-street.

GEORGE ROBERT TWELVES HEWES.

Suffolk, ff. Boston, March 17, 1770.

George Robert Twelves Hewes above-named, after due examination, made oath to the truth of the aforesaid affidavit, taken to perpetuate the remembrance of the thing.

Before

Before R^t. DANA, Justice of Peace, and of the
 Quorum,
 JOHN HILL, Just. Peace.

(No. 76.)

I Thomas Jackson junior do testify and declare, that on Monday the 5th instant in the evening, being in company, I heard (as near as I can recollect) between nine and ten o'clock, a drum beat to arms; I immediately told the gentleman (with whom I was then engaged) I imagined there was some disturbance between the inhabitants and the soldiery; he replied, Foh, I believe it is nothing but boys; I told him I was afraid there was something more in it than that, and desired him (as the drum approached us) to look out of the window to see whether they were soldiers or not; he immediately opened the window, and told me they were soldiers. Upon this information, I immediately put on my hat and went out. I had not gone many paces before I met a man, of whom I enquired the reason of the drum beating? He told me, there were six men killed in King-street by the military: I immediately hastened on in my way to King-street, and met another person by Concert-hall, of whom I likewise enquired as aforesaid; his answer to me corresponded with the other. When I got into King-street, I found a great number of people there assembled; and intended going into the Custom-house to find out the particulars of the affair; upon my knocking at the Custom-house door with the knocker, Mr. Hammond Green (who was then looking out of the window) asked me, who was there? I called him by name, and told him I wanted to come
 into

into the Custom-house. *He told me he would not let me, nor even his father (and I think he said) nor one of the commissioners, into the house, for he had orders for so doing, or to that effect.* I immediately quitted the door, and staid some time at the bottom, and then at the head of the Town-house, where I met Capt. John Riordan; while we were conversing, a party of the 29th regiment came down Queen-street, and joined the regiment then at the Town-house. Soon after that, I asked Capt. Riordan if he would spend an hour at the coffee-house; he complied, and we immediately went. After spending some time there, I went home; and in going home, I found the inhabitants were gone off, and the soldiers gone from the Town-house. It was some time before I came into King street, that the guns were fired, and when I knocked at the Custom-house door, all the persons I saw at the window over the centry-box at the Custom-house (which window was then opened) was Mr. Hammond Green and some women.

THO. JACKSON jun.

Suffolk, ff. Boston, March 16, 1770.

Thomas Jackson junior, above named, after due examination, made oath to the truth of the above written affidavit, taken to perpetuate the remembrance of the thing.

Before RI. DANA, Justice of Peace, and of the
Quorum.
JOHN HILL, Just. of Peace.

(No. 77.)

I John Riordan of lawful age testify, that on Monday evening the fifth instant, between 10 and 11 o'clock, I was at the British coffee-house, and heard *Mr. Wells, the Master of the Rose man of war, say that he had done more than ever he did in his life, pointing to his hat, out of which he had pulled the cockade, and continued, that all the boats were hoisted out, the barge particularly, which had not been before for four months. Said master had at the same time something that appeared like arms under his coat, which he said were good stuff—that he knew of this before (meaning as I thought the massacre of that evening) and had sent one boat after another on shore for orders, but having no return, had come himself in in the barge.*

JOHN RIORDAN.

Suffolk, ff. Boston, March 20, 1770.

John Riordan above-named, after due examination, made oath to the truth of the aforesaid affidavit, taken to perpetuate the remembrance of the thing.

Before JOHN RUDDOCK, Just. Peace and of the
Quorum.

JOHN HILL, Just. of Peace.

(No. 78.)

A Braham Tuckerman of lawful age testifies and says, that James Vibart, quarter-master of the
29th

29th regiment, about ten o'clock A. M. the eighth instant, said, *the troubles here were nothing to what they would be in six months.* Being asked why he thought so, replied, *This affair will get home, and the people here will be disarmed as they are in Ireland.*

ABRAHAM TUCKERMAN.

Suffolk, ss. Boston, March 16, 1770.

Abraham Tuckerman above-named, after due examination, made oath to the truth of the afore-written affidavit, taken to perpetuate the remembrance of the thing.

Before R^t. DANA, Just. of Peace and of the Quorum.

JOHN HILL, Just. of Peace.

(No. 79.)

SPencer Walker of Boston, taylor, of lawful age testifies and says, that on the evening of the fifth instant (being a bright moon-light evening) immediately after the massacre in King-street, he was passing alone, by Murray's barrack, and *was attacked* by a man of middle height and pretty lusty, a rough countenance and hair curled round his head, whom he took to be *an officer in disguise, that the said officer rushed out of the gate from behind two soldiers with a drawn sword in his hand, and seized the deponent first by the collar, and asked him why he carried a stick, to which the deponent answered, it was all he had to defend himself with; the officer then seized his stick and swore he would take it from him; the deponent said he should not; the* officer

officer then pulled the stick three times and drew back his sword as though he would make a pass at him; upon which the deponent let go the stick and turned back, and saw at the front door of the house another officer talking with a woman; the deponent asked the officer if he kept soldiers there to disarm people as they went about their proper business; upon which the officer laughed at him; the deponent then told the officer that he would think it very hard if any inhabitant had taken a gun from a soldier as he was going to relieve a centry; the officer again laughed at him; upon which a soldier came up and *struck the deponent on the hip with the breech end of his gun in the presence of the officer at the door*, and then the deponent retired. The deponent further says, that the next day he saw the same person who took the stick from him (*knowing him to be the same*) in the dress of a commission-officer of the 29th regiment.

SPENCER WALKER.

Suffolk, ff. Boston, March 20, 1770.

Spencer Walker above-named, after due examination, made oath to the truth of the above-written affidavit, taken to perpetuate the remembrance of the thing.

Before JOHN RUDDOCK, Just. Peace and of the
Quorum,
JOHN HILL, Just. of Peace.

(No. 80.)

Jonathan Mason of lawful age testifies and says, that on the evening of the 5th of March 1770, about 10 o'clock, being in King-street, Boston, standing near *his Honor the Lieutenant governor*, he heard him say to an officer at the head of the King's troops, who it was said was *Captain Preston*, Sir, you are sensible you had no *right to fire*, unless you had orders from a magistrate; to which Captain Preston replied, Sir, we were insulted, or words to that purpose; upon which Captain Preston desired his Honor to go with him to the guard-house, which his Honor declined, and repaired to the Council-chamber.

JONA. MASON.

Suffolk, ff. Boston, March 21, 1770.

Jonathan Mason above-named, after due examination, made oath to the truth of the aforesaid affidavit, taken to perpetuate the remembrance of the thing.

Before JOHN RUDDOCK, Just. of the Peace and of the Quorum.

JOHN HILL, Just. of the Peace.

(No. 81.)

I Isaac Pierce of Boston, of lawful age, testify and say, that on Monday evening the fifth instant, hearing the bells ring, and that the main guard had
fired

fired on the inhabitants, repaired to King-street, and found the 29th regiment drawn up between the State-house and main guard-house, and facing down the said street towards the inhabitants, and seeing his Honor the Commander in Chief appear, I went with him towards the soldiers, the front rank having their firelocks presented with bayonets fixt; when we came near, I spoke to Captain Preston, then on the right, telling him *there* was his Honor the Commander in Chief; Captain Preston said, where; I said (pointing to his Honor) *there*, and you are presenting your firelocks at him; on which his Honor went round on the right flank, and coming to Captain Preston, said, Sir, are you the commanding officer? who answered, yes, Sir; his Honor then said, Do you know, Sir, you have no power to fire on any body of people collected together, except you have a civil magistrate with you to give orders? Captain Preston answered, *I was obliged to, to save my centry*; on which I immediately said, *then you have murdered three or four men to save your centry*.

ISAAC PIERCE.

Suffolk, ff. Boston, March 21, 1770.

Isaac Pierce above-named, after due examination, made oath to the truth of the aforesaid affidavit, taken to perpetuate the remembrance of the thing.

Before JOHN RUDDOCK, Just. of the Peace and
of the Quorum,
JOHN HILL, Just. of the Peace.

(No. 82.)

I Ebenezer Dorr of lawful age testify and say, that on the evening of the 5th instant, hearing the bells ring in the center of the town, I came down to the Town-house, and saw the 29th regiment under arms, between the Town-house and main-guard, their lines extending across the street and facing down King-street, where the town's people were assembled, and that *the first rank was kneeling down, and the whole of the first platoon was presented, ready for firing on the word being given, and continued a considerable time in that posture; but by the providence of God they were restrained from firing.*

EBENEZER DORR,

Suffolk, ff. Boston, March 21, 1770.

Ebenezer Dorr above-named, after due examination, made oath to the truth of the aforesaid affidavit, taken to perpetuate the remembrance of the thing.

Before JOHN RUDDOCK, Just. of the Peace and of
the Quorum,
JOHN HILL, Justice of the Peace.

(No. 83.)

I Edward Crafts of lawful age testify and say, that on Monday evening the fifth instant, between 11 and 12 o'clock, Mr. Joseph Ayers met me at my gate, and I asked him where he was going; he answered,

swered, to call Mr. Thomas Theodore Bliss to attend at the Council-chamber, to give evidence of the captain's giving the soldiers orders to fire on the inhabitants. On leaving Mr. Bliss's door, there passed by us two corporals with about twenty soldiers with muskets and fixed bayonets, and on their observing our moving towards the Town-house, the soldiers halted, and surrounded us, saying, *we were a pack of damned rascals, and for three coppers they would blow our brains out.* One of the corporals (*viz.* Eustice) gave orders for *one half the soldiers to cock, and the rest to make ready;* on which we told them we had nothing to say to them, but were on other business. The corporal, Eustice, struck Mr. Haldan, then in company, and turning to me aimed a blow at my head with his firelock, which I took upon my arm, and then with all his might he made a pass at me with his fixed bayonet, with full intent to take my life, as I thought; this I also parried with my naked hand: then a soldier stepped out from among the rest and presented his musket to my breast, and six or seven more at about 8 or 10 feet distance also presented. Upon this I called corporal M'Can, who came to me with a drawn sword or cutlass in his hand, and pushed the gun from my breast, saying, This is Mr. Crafts, and if any of you offers to touch him again I will blow your brains out. Corporal Eustice answered, and said, He is as damned a rascal as any of them. The next evening about dusk, coming by Rowe's barrack, I saw corporal M'Can who saved my life. He asked me if my arm was broke; I answered no. He said, *the gun with which Eustice struck me was broke to pieces;* and continued, *you would have been in heaven or hell in an instant if you had not called me by name: One man in particular would have shot you, seven more presented at you!* He also said, *his orders were, when the party came from the guard-house by the*
for-

fortification, if any person or persons assaulted them, to fire upon them, every man being loaded with a brace of balls. And farther I say not.

EDWARD CRAFTS,

Suffolk, ff. Boston, March 17, 1770.

Edward Crafts above-named, after due examination, made oath to the truth of the above-written affidavit, taken to perpetuate the remembrance of the thing.

Before R^t. DANA, Just. of the Peace and of the
Quorum,
JOHN HILL, Just. of the Peace,

(No. 84.)

JOseph Allen of lawful age testifies and says, that between the hours of nine and ten on Monday evening the fifth instant, being at the dwelling-house of Mr. Winniet at New-Boston, was there informed that the town was alarmed by an affray between the soldiers and inhabitants; he immediately left said house, and after arming himself with a stout cudgel at Mr. Daniel Rea's, passed by Murray's barrack near Doctor Cooper's meeting-house, where were drawn up a party of soldiers with a number of officers in front; and passing them quietly in company with Edward Winslow junior, was overtaken by a party of armed soldiers, one of whom laid hold of the deponent's neck of his coat and shirt, and tore the shirt, a second struck him over the shoulders, and either the latter or a third forcibly wrested the stick from him:
Lieutenant

Lieutenant Minchin interposing prevented farther abuse, and entered into conversation with the deponent, complaining of the inhabitants for wrangling with the soldiers on the most trifling occasion. The deponent asked him, if he thought a man could be inactive, when his countrymen were butchered in the street? Lieutenant Minchin answered, that "Mr. Molli-neux was the author of all this:" after the conversation ended, or was nigh ending, Lieutenant Minchin returned the deponent his stick. And further saith not.

JOSEPH ALLEN.

Suffolk, ff. Boston, March 16, 1770.

Joseph Allen above-named, after due examination, made oath to the truth of the above-written affidavit, taken to perpetuate the remembrance of the thing.

Before R^t. DANA, Just. of the Peace and of the
Quorum,
JOHN HILL, Just. of the Peace.

(No. 85.)

I William Fallas of lawful age testify and say, that after the murder was committed in King-street, on the evening of the fifth instant, upon my return home I had occasion to stop opposite to the lane leading to Green's barrack, and while I stood there the soldiers rushed by me with their arms towards King-street, saying, *This is our time or chance*; and that I never saw men or dogs so greedy for their prey as these soldiers

diers seemed to be, and the serjeants could hardly keep them in their ranks.

WILLIAM FALLASS.

Suffolk, ff. Boston, March 16, 1770.

William Fallass, above-named, after due examination, made oath to the truth of the above-written affidavit, taken to perpetuate the remembrance of the thing.

Before R^t. DANA, Just. of the Peace and of the
Quorum;
JOHN HILL, Just. of the Peace.

(No. 86.)

MARY Gardner, living in Atkinson-street, of lawful age, testifies and says, that on Monday evening the fifth day of March current, and before the guns fired in King-street, there were a number of soldiers assembled from Green's barrack towards the street and opposite her gate; that they stood very still until the guns were fired in King-street, then they clapped their hands and gave a cheer, saying, *This is all that we want*; they then ran to their barrack and came out again in a few minutes, all with their arms, and ran towards King-street.

MARY GARDNER.

Suffolk

Suffolk, ff. Boston, March 20, 1770.

Mary Gardner above-named, after due examination, made oath to the truth of the above-written affidavit, taken to perpetuate the remembrance of the thing.

Before RI. DANA, Just. of the Peace and of the
Quorum,
JOHN HILL, Just. of the Peace.

(No. 87.)

JOHN Allman of lawful age testifies and says, that after the party with the drum came from the main guard to Murray's barrack, he saw the soldiers there drawn up under arms, and heard the officers, as they walked backwards and forwards, say, Damn it, what a fine fire that was! how bravely it dispersed the mob!

JOHN ALLMAN.

Suffolk, ff. Boston, March 16, 1770.

John Al'man above-named, after due examination, made oath to the truth of the above-written affidavit, taken to perpetuate the remembrance of the thing.

Before RI. DANA, Just. of the Peace, and of the
Quorum,
JOHN HILL, Just. of the Peace.

T

(No.

I Benjamin Church jun. of lawful age, testify and say, that being requested by Mr. Robert Pierpont the Coroner, to assist in examining the body of Crispus Attucks, who was supposed to be murdered by the soldiers on Monday evening the 5th instant, I found two wounds in the region of the thorax, the one on the right side, which entered through the second true rib within an inch and an half of the sternum, dividing the rib and separating the cartilaginous extremity from the sternum; the ball passed obliquely downward through the diaphragm, and entering through the large lobe of the liver and the gall-bladder, still keeping its oblique direction, divided the aorta descendens just above its division into the iliacs, from thence it made its exit on the left side of the spine: this wound I apprehended was the immediate cause of his death. The other ball entered the fourth of the false ribs, about five inches from the linea alba, and descending obliquely, passed through the second false rib, at the distance of about eight inches from the linea alba; from the oblique direction of the wounds, I apprehend the gun must have been discharged from some elevation. And further the deponent saith not.

BENJ. CHURCH jun.

Suffolk, ff. Boston, March 22, 1770.

Benjamin Church jun. above-mentioned, after due examination, made oath to the truth of the aforesaid affidavit, taken to perpetuate the remembrance of the thing.

Before

Before JOHN RUDDOCK, Just. of Peace, and of the
Quorum,
JOHN HILL, Just. of Peace.

(No. 89.)

I William Rhodes of lawful age testify and say, that on Tuesday March 6, 1770, the morning after the affair in King-street, some of the seamen belonging to the Rose man of war, laying in the harbour of Boston, came to my shop, and after my asking them if they had heard of the affair that happened, they answered me, Yes, and that *all their boats were sent on shore manned*, and that the master of the ship had kept them up all night, or the greatest part. I then asked them, whether they were kept to their quarters? they answered, No. I then asked whether they had loaded their guns? they likewise answered, No, but that they had been filling powder. Some time after I enquired of these same people, whether their people, when they came on shore on Monday night 5th March, were armed? they told me, that the only person that had any arms was their master, who came ashore in the barge, and that he had only a pair of pistols; and that when they had got on the wharf, that the said master gave the pistols to the coxswain of the barge. And further saith not.

WILLIAM RHODES.

Suffolk, ff. Boston, March 21, 1770.

William Rhodes above-named, after due examination, made oath to the truth of the aforesaid affidavit, taken to perpetuate the remembrance of the thing.

T 2

Before

Before JOHN RUDDOCK, Just. of Peace, and of the
Quorum,
JOHN HILL, Just. of Peace.

(No. 90.)

MARY Russell of lawful age declares, that John Brailsford, a private soldier of the 14th regiment, who had frequently been employed by her (when he was ordered with his company to the castle, in consequence of the murders committed by the soldiers on the evening of the 5th of March) coming to the deponent's house, *declared, that their regiment was ordered to hold themselves in readiness, and accordingly was ready that evening upon the inhabitants firing on the soldiery, to come to the assistance of the soldiery:* on which the deponent asked him, if he would have fired upon any of the inhabitants of this town? to which *he replied, Yes, if I had orders;* but that if he saw Mr. Russell he would have fired wide of him.—He also said, It is well there was no gun fired by the inhabitants, for had there been, we should have come to the soldiers assistance. And further saith not.

MARY RUSSELL.

Suffolk, ff. Boston, March 17, 1770.

The above-named Mary Russell personally appearing, and being carefully examined, and duly cautioned to testify the whole truth, made solemn oath to the fore-written deposition by her subscribed. Taken to perpetuate the remembrance of the thing.

Before

Before JOHN RUDDOCK, Just. of Peace, and of the
Quorum,
JOHN HILL, Just. of Peace.

(No. 91.)

I Ephraim Fenno of lawful age testify, that on Friday the ninth instant, as I was going home by the hospital in the common, I saw Doctor Hall, surgeon of the 14th regiment, looking out of his window, who said to me, Dirty travelling, neighbour! Yes, Sir, returned I. He asked me what news in town; I told him I heard nothing but what he knew already, that the talk was about the people that were murdered. He then asked me if the people of the town were not easier? I replied, I believed not, nor would be till all the soldiers had left the town. He then asked me, if I heard whether the 14th regiment was going? I answered, yes—for the people would not be quiet till they were all gone. He said, the town's people had always used the soldiers ill, which occasioned this affair, and said, *I wish that instead of killing five or six they had killed five hundred, damn me if I don't.* And further I say not.

EPHRAIM FENNO.

Suffolk, ff. Boston, March 19, 1770.

Ephraim Fenno above-named, after due examination, made oath to the truth of the aforesaid affidavit, taken to perpetuate the remembrance of the thing.

Before

Before JOHN RUDDOCK, Just. of Peace, and of the
Quorum,
JOHN HILL, Just. of Peace.

(No. 92.)

DAVID Loring, who was much employed in making shoes for the 14th regiment, declares, that being at the wood-yard of the 14th regiment on the 9th or 10th of March, talking with Serjeant Whitley, he mentioned the unhappy affair of the murder committed by the soldiers on the evening of the 5th instant, and said, that he believed if the 14th regiment had been upon guard that day, it would not have happened; and told him, that he never liked the 29th regiment since they landed in Boston. The serjeant asked the reason why he did not like the 29th regiment as well as the 14th; he answered that they seemed to be a set of blood-thirsty men, and therefore did not like them; and believed the affair would have never happened had it not been for the affray of the 29th regiment at the rope-walks. A soldier of the 29th regiment, named John Dudley, being by, said it was a planned thing a month before.

DAVID LORING.

Suffolk, ff. Boston, March 16, 1770.

David Loring above-named, after due examination, made oath to the truth of the aforesaid affidavit, taken to perpetuate the remembrance of the thing.

Before

Before JOHN RUDDOCK, Just. of Peace, and of
the Quorum,
JOHN HILL, Just. of Peace.

(No. 93.)

I The subscriber being desired by the committee of enquiry to take ranges of the holes made by musquet balls in two houses near opposite to the custom-house, find that the bullet-hole in the entry door-post of Mr Payne's house, and which grazed the edge of the door before it entered the post where it lodged, two and a half inches deep, ranges just under the stool of the westernmost lower chamber-window of the Custom-house.

And that the hole made by another musquet-ball through the window-shutter of the lower story of the same house, and lodged in the back wall of the shop, ranges about breast-high from the ground, and between the second and third window from the west corner of the Custom-house.

And that the holes made in the shop of Warden and Vernon, through the outer shutter and back partition of the shop, ranged breast-high from the ground, and with the westernmost side of the first window west of the great door of the Custom-house.

BENJ. ANDREWS.

Suffolk, ff. Boston, March 20, 1770.

Benjamin Andrews, Esq; above-named, after due examination, made oath to the truth of the aforesaid affidavit, taken to perpetuate the remembrance of the thing.

Before

Before JOHN RUDDOCK, Just. of Peace, and of
the Quorum,
BELCHER NOYES, Just. of Peace.

(No. 94.)

I John Green of lawful age testify and say, that on Monday evening the 5th instant, just after nine o'clock, I went into the Custom-house, and saw in the kitchen of said house two boys belonging to Mr. Piemont the barber, and also my brother Hammond Green: upon hearing an huzzaing and the bell ring, I went out, and there were but *four or five boys in King-street near the centinel, who was muttering and growling, and seemed very mad.* I saw Edward Garrick, who was crying, and told his fellow apprentice that the *centinel had struck him*; I then went as far as the Brazen Head, and heard the people huzzaing by Murray's barrack. I went down King-street again as far as the corner of Royal Exchange-lane, by the centry, *there being about forty or fifty people, chiefly boys, near the Custom-house, but saw no person insult, or say any thing to the centry.* I then said to Bartholomew Broaders these words, viz. The centry (then standing on the steps and loading his gun) is going to fire; upon which I went to the Custom-house gate, and tried to get over the gate, but could not. Whilst standing there I saw Thomas Greenwood upon the fence, to whom I said, Open the gate: he said that *he would not let his father in*, and then jumped down into the lane, and said to the deponent, Follow me; upon which I went down the lane with him, and round by the Post-office, to the main guard: he went into the guard-house, and said, *Turn out the guard*; but the guard was out before,
and

and I heard that a party was gone to the Custom-house. I then heard the guns go off, one after another, and saw three persons fall. Immediately after a negro drummer beat to arms, upon that the soldiers drew up in a rank (and I did not see Greenwood again until the next morning). After that I saw the 29th regiment drawn up in a square at the south-west corner of the town-house; soon after I went home. And further I say not.

JOHN GREEN.

Suffolk; ff. Boston, March 24, 1770.

John Green above-named, after due examination, made oath to the truth of the above-written affidavit, taken to perpetuate the remembrance of the thing.

Before JOHN RUDDOCK, Just. of the Peace, and
of the Quorum,
JOHN HILL, Just. of the Peace.

(No. 95.)

I Hammond Green of lawful age testify and say, that on the evening of the 5th day of March instant, between the hours of eight and nine o'clock, I went to the Custom-house; when I came to the front door of the said house there were standing two young women belonging to said house, and two boys belonging to Mr. Piemont the barber. I went into the house, and they all followed me; after that Mr. Sawny Irving came into the kitchen where we were, and afterwards I lighted him out of the front door; I then went
U back

back into the kitchen again, and the boys above-mentioned went out; after that two other boys belonging to Mr. Piemont came into the kitchen, also my brother John, who had been in a little while before; he went to the back door, and opened it, saying, that something was the matter in the street; upon which, with the other three, I went to the corner of Royal Exchange-lane in King-street, and heard an huzzaing, as I thought, towards Dr. Cooper's meeting; and then saw one of the first mentioned boys, who said, *the centry, had struck him; at which time there were not above eight or nine men and boys in King-street.* After that, I went to the steps of the Custom-house door; and Mary Rogers, Eliza. Avery, and Ann Green, came to the door; at the same time heard a bell ring, upon the people's crying fire; we all went into the house, and I locked the door, saying, we shall know if any body comes; after that, Thomas Greenwood came to the door, and I let him in; he said, that there was a number of people in the street; I told him if he wanted to see any thing to go up stairs, but to take no candle with him; he went up stairs, and the three women afore-mentioned went with him, and I went and fastened the windows, doors, and gate; I left the light in the kitchen, and was going up stairs, but met Greenwood in the room next to the kitchen, and he said, *that he would not stay in the house, for he was afraid it would be pulled down, but I was not afraid of any such thing;* I then went up stairs into the lower west chamber, next to Royal Exchange-lane, and saw several guns fired in King-street, which killed three persons, which I saw lay on the snow in the street, supposing the snow to be near a foot deep; after that, I let Elizabeth Avery out of the front door, and shut it after her, and went up chamber

chamber again ; then my father, Mr. Bartholomew Green, came and knocked at the door, and I let him in ; we both went into the kitchen, and he asked me what was the matter ; I told him, that there were *three persons shot by the soldiers who stood at the door of the Custom-house* ; he then asked me where the girls were ; I told him they were up stairs, and we went up together, and he opened the window, and I shut it again directly ; he then opened it again, and we both looked out ; at which time Mr. Thomas Jackson jun. knocked at the door ; I asked who was there ? Mr. Jackson said, it is I, Hammond, let me in ; I told him, *if my father was out, or any of the commissioners came, I would not let them in.* And further I say not.

HAMMOND GREEN.

Suffolk, ff. Boston, March 24, 1770.

Hammond Green above named, after due examination, made oath to the truth of the above written affidavit, taken to perpetuate the remembrance of the thing.

Before JOHN RUDDOCK, Justice of the Peace, and
of the Quorum,
JOHN HILL, Justice of the Peace.

(No. 96.)

I Thomas Greenwood of lawful age testify and say, that on Monday the 5th instant, spending the evening at Mrs. Wheeler's, I was alarmed by the bells ringing, and people's crying fire ; upon which I turned out with Mrs. Wheeler's three sons, and helped Mr. Wheeler's engine as far as the Old South meeting house ; we met several people who told us it

was not fire, but it was the *soldiers and inhabitants fighting in King street, and desired them to go back and get their arms*; upon hearing this, I hastened down to King-street, and coming near the west door of the town-house, I fell in with a number of people, most of them that I saw had sticks and clubs in their hands, and huzza'd; after that we went round the north side of the town house, and stood between the east steps of the town-house and whipping-post; I heard a number of people speaking, and *one person in particular* spoke to the two centinels, who were walking up and down the street on the side of the town-house, using these words, *Come out and fight us if you dare, calling them damn'd bloody-back rascals and scoundrels, to come out and fight them*, if they dared, we are enough for you now; *but I do not know whether the above person belonged to the town*. I looked round and saw about twenty people before the Custom-house door; upon which I went down to the Custom-house; I then heard two or three persons use these words, one after another, *† I wish I could get into the Custom-house, I would make the*

* It may not be improper to remark here, that the deponent, Thomas Greenwood, is a hired servant to the Commissioners, on whom he is altogether dependent, and when before the Justices, he was several times detected in plain falsehoods; particularly in swearing first that the number of persons who called the soldiers "bloody back rascals," &c. was nine, then seven, and finally but one, as it now stands; and through the whole of his examination he was so inconsistent and so frequently contradicted himself, that all present were convinced no credit ought to be given to his deposition; for which reason it would not having been inserted had it not been known that a deposition was taken relating to this affair, from this Greenwood, by Justice Murray, and carried home by Mr. Robinson.

† As this deponent is the only person out of a great number of witnesses examined, who heard any mention made of the Custom-house, and as it is very uncommon for several people to

the money circulate amongst us; after that I went up to the Custom-house door, and saw two or three snow-balls fall on the flat stones near the steps of the door; I knocked, and Mr. Hammond Green came to the door, while I was speaking to the centry who stood upon the steps, I told him not to let any body come into the door, and no person offered to come in; the said Green asked who was there? I answered, it is Thomas, let me in Hammond; when I got in, the said Green said to me, if I wanted to see any thing, go up stairs; I went into the back room, and got the key of the little drawing-room, being the lower west corner chamber, and went up stairs, and Elizabeth Avery, Mary Rogers, and Ann Green followed me into the room; we all looked through the glass: I saw some persons standing by the centry-box striking with sticks, *but did not see them hit any body, though a number of persons were close by them*; I told the women above-mentioned that I would not stay, for I was afraid that the house would be pulled down, there being about *forty or fifty persons consisting of men and boys*; I saw no person throw any stones, or attempt to break even a square of glass, or get into the house (the next morning I found there was not a pane of glass broke in the said house). Afterwards, I went down stairs and met Hammond Green in the middle room; he asked me where I was going? I told him, I was going out; upon which I went into the kitchen, and took my hat and went into the yard, got upon the

repeat exactly the same words upon such occasions (for the deponent insisted that the identical words were used by each person) considering the character and connections of the deponent, and his own express declaration in this affidavit, that he saw no person attempt even to break a square of glass or to get into Custom-house, it may very justly be doubted whether such words were used by any one.

wood-

wood-pile, and went to the fence; John Green being by the gate asked me to open the gate, and let him in; I told him I would not open the gate for any body. One person passing by, said to me, heave over some shalales; I jumped off the fence into Royal Exchange-lane, went down the lane with John Green, and went round by the Post office to the main guard; I told one of the soldiers, if they did not go down to the centry at the Custom house, || *I was afraid they would hurt him, though I had not seen any person insult him; somebody said they were gone.* I stood with John Green near the guard-house, saw the guns go off, and heard the report; afterwards *I heard a person say, which I took to be a soldier, that is right, damn them, kill them all, they have no business there;* and from thence I went to the house of Mr. Burch, one of the Commissioners, where I saw Mr. Burch and wife, Mr. Paxton another Commissioner, and Mr. Reeves secretary to the board. One of the Commissioners asked me, what was the matter? I told him the soldiers had fired upon the inhabitants, and had killed two or three, and wounded some more; upon which Mr. Reeves said, God bless my soul! and then went into the other room. I left Mr. Burch's house, and went to the barracks at Wheelwright's Wharf, and staid there all night; *I heard several soldiers say, They wished they were let out, for if they were, there should not be many people alive in the morning.* The whole of the 14th regiment being under arms, and

|| It seems very difficult, according to Greenwood's account, to form even a conjecture of the reason of his fears which he expressed for the centry, when in the same breath he declares, that he had not seen any person insult him.—But probably the true motives of his application to the main-guard were not of a nature to be made publick.

the

the piquet-guard went to the main-guard house about 12 o'clock that night.

THOMAS GREENWOOD.

Suffolk, ff. Boston, March 24, 1770.

Thomas Greenwood above-named, after due examination, made oath to the truth of the above-written affidavit, taken to perpetuate the remembrance of the thing.

Before JOHN RUDDOCK, Justice of the Peace, and
of the Quorum,
JOHN HILL, Justice of the Peace.

Boston, the 22d March, 1770.

WE the subscribers, two of his Majesty's Justices of the Peace for the county of Suffolk, (one being of the Quorum) hereby certify, that colonel William Dalrymple, chief commander of the soldiers in Boston, William Sheaffe, esquire, deputy collector of the Customs, and Bartholomew Green, head of the family in the Custom-house in Boston, were duly notified to attend the captions of the affidavits *in perpetuum*, &c. touching the Massacre by the soldiers in Boston, taken before us on the 16th, 17th, and 19th days of March current; and that the said William Sheaffe and Bartholomew Green attended accordingly on the 16th of March, and cross-examined as may deponees as they thought fit, and as long as they pleased, but declined giving any further attendance.

RI. DANA,
JOHN HILL.

Suffolk,

Suffolk, ss.

Boston, March 30, 1778.

WE do hereby certify, That the several Copies contained in the annexed printed Collection of Affidavits taken before us *in perpetuam, &c.* have been carefully compared by us with the Originals, and agree therewith.

RI: DANA, Justice of the Peace, and of the Quorum,
JOHN HILL, Justice of Peace.

WE do certify the like, respecting those Affidavits taken before us,

RI: DANA, Justice of Peace, and of the Quorum,
SAM. PEMBERTON, Justice of Peace.

WE do certify the like, respecting the Affidavit taken before us,

RI: DANA, Justice of Peace, and of the Quorum,
JOHN RUDDOCK, Justice of Peace, and of the Quorum.

WE do certify the like, respecting the Affidavit taken before us.

RI: DANA, Justice of Peace, and of the Quorum,
JOHN TUDOR, Justice of the Peace.

WE

WE do certify the like, respecting those Affidavits taken before us.

JOHN RUDDOCK, Justice of Peace, and of the
Quorum,
JOHN HILL, Justice of Peace.

WE do certify the like, respecting those Affidavits taken before us.

JOHN RUDDOCK, Justice of Peace, and of the
Quorum,
BBLCHER NOYES, Justice of Peace.

WE do certify the like, respecting the Affidavit taken before us.

JOHN RUDDOCK, Justice of Peace, and of the
Quorum,
JOHN TUDOR, Justice of Peace.

I do hereby certify, That the Copy of an Affidavit (contained in the annexed printed Collection of Affidavits) taken before me, has been carefully compared by me with the Original, and agrees therewith,

EDM. QUINCY, J. Pacis.

X

By



T. HUTCHINSON.

By the Honourable THOMAS HUTCHINSON, Esq;
Lieutenant-Governor and
Commander in Chief, in
and over his Majesty's Province of Massachusetts-Bay in New-England.

I Do hereby certify, That *Richard Dana* and *John Ruddock*, Esquires, are two of his Majesty's Justices of the Peace and of the Quorum for the County of *Suffolk*, within the aforesaid Province; and that *John Hill*, *Edmund Quincy*, *Belcher Noyes*, *John Tudor*, and *Samuel Pemberton*, Esquires, are Justices of the Peace for the same County, and that full Faith and Credit is and ought to be given to their several Acts and Attestations (as on the annexed Paper) both in Court and without.

In Testimony whereof I have caused the Public Seal of the Province of *Massachusetts's Bay* aforesaid to be hereunto affixed. Dated at *Boston* the Thirtieth Day of *March* 1770, in the tenth Year of his Majesty's Reign.

By his Honor's Command,

JOHN COTTON, D. Secretary.

THREE original Certificates of the foregoing Tenor, with the Province Seal affixed to them, are signed by the Lieutenant-Governor, and annexed to three printed Copies of this Pamphlet.

Two of them will be sent to London for the Satisfaction of such Gentlemen in England as incline to see the Originals: viz. One of them to *WILLIAM BOLLAN*, Esq; and the other to *DENNIS DE BERTDT*, Esq;—The third remains with the Committee.

A N I N D E X T O T H E A P P E N D I X.

A

	Page
A D A M S Matthew,	5
Allen Jeremiah,	11
Allen Joseph,	14
Alline Benjamin,	10
Allman John,	14
Andrews Benjamin, Esq;	151
Appleton Nathaniel,	63
Archbald Francis jun.	91
Atwood Samuel,	69

B

Bass Henry,	57
Bass Gillam,	106
Belknap Jeremiah,	64
Bostwick Samuel,	55
Bourgate Charlotte,	104
Brailsford John,	48
Brailsford Mary,	46
Broaders Bartholomew,	72
Brown John,	54
Burdick Benjamin jun.	81

C

Cain Thomas,	85
Calfe Daniel,	76
X 2	Cato,

Cato,	123
Church Benjamin jun.	146
Coburn John,	66
Cochran David,	36
Condon Samuel,	88
Copeland Ala,	47
Coster George,	118
Crafts Edward,	140
Cunningham Peter,	87
D	
Dorr Ebenezer,	140
Drowne Samuel,	119
F	
Fallaß William,	143
Fenno Ephraim,	149
Feriter Nicholas,	38
Fisher John,	40
Fosdick Nathaniel,	93
Frizel Benjamin,	111
G	
Gammel John,	104
Gardner Mary,	144
Goddard John,	75
Goddard Robert,	126
Gray John,	42
Green John,	152
Green Hammond,	153
Greenwood Thomas,	155
H	
Hewes George Robert Twelves,	131
Hickling John,	128
Hill Jonn, Esq;	41
Hinckley Ebenezer,	90
Hobby Charles,	82
Hooton Joseph jun.	95
J	
Jackson Thomas jun.	133
	King

K

King Matthias,	71
Kirkwood James, Capt,	70
Kneeland Bartholomew,	62
Knox Henry,	107

L

Leach John jun.	79
Le Baron William,	59
Lewis William,	60
Loring David,	150

M

M'Neil Archibald,	44
Marshall Thomas, Esq;	77
Mason Jonathan,	138
Morton Dimond,	109

N

Newhall William,	37
Noyes Nathaniel,	49

P

Palmes Richard,	96
Parker Isaac,	61
Patterson Robert,	122
Payne Edward,	102
Peirce Isaac,	138
Pierpoint Robert,	53
Polley Robert,	67

R

Read Francis,	108
Rhodes William,	147
Richardson Jeffrey,	39
Riordan John,	135
Russell Mary,	148

S

Simpson Josiah,	114
Swan Caleb,	52
Swansborough Margaret,	53

Tant

T

Tant William,	84
Thayer Nathaniel,	61
Thayer Mary,	45
Tuckerman Abraham,	135
Tyler William,	56

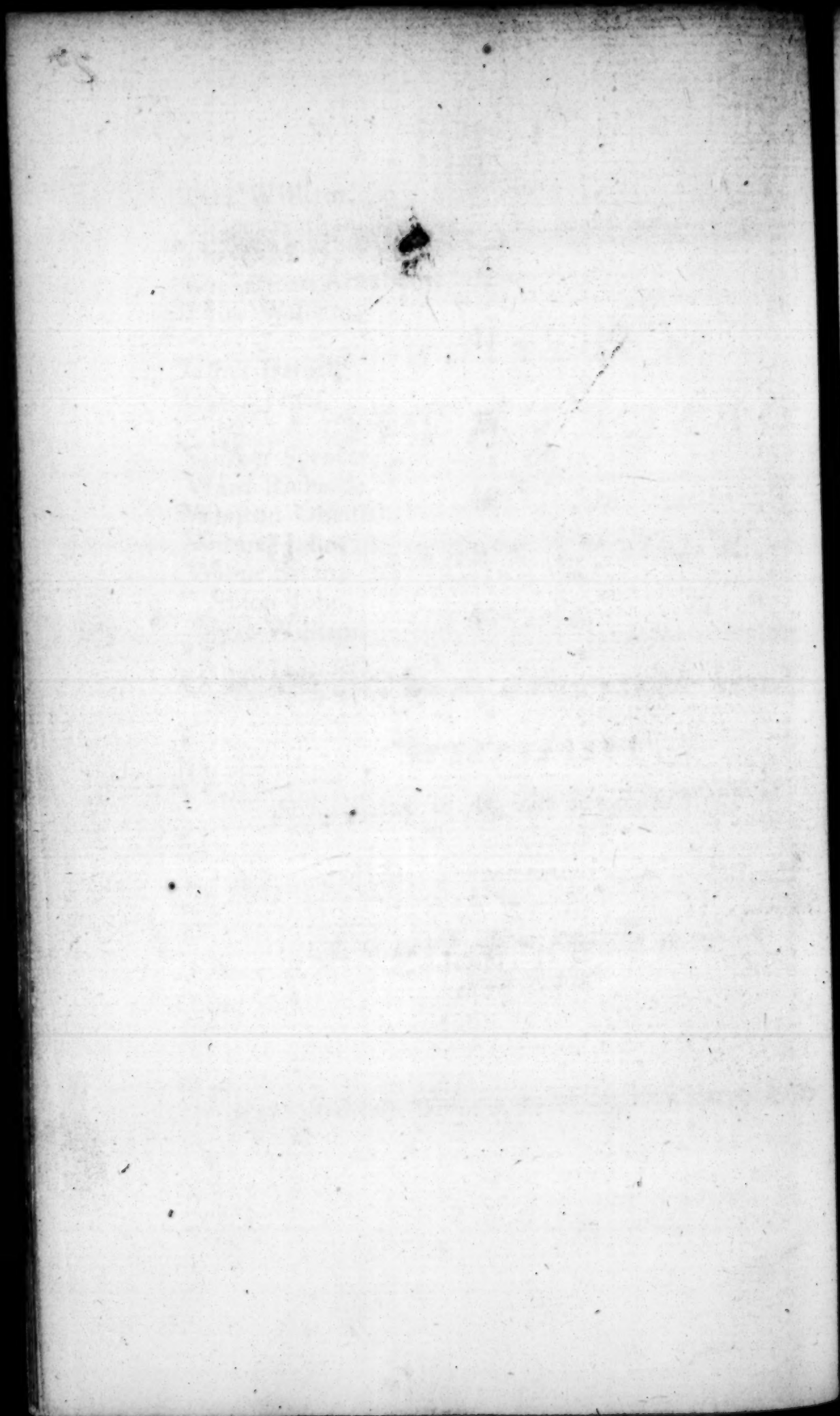
U

Usher Daniel,	124
Usher Jane,	50

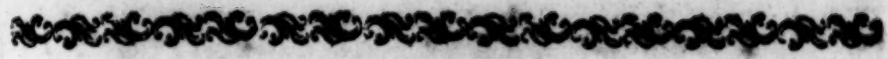
W

Walker Spencer,	136
Ward Richard,	49
Whiston Obadiah,	130
Wilme John,	34
Wilme Sarah,	35
Willson John,	117
Wyat William.	99

F I N I S.

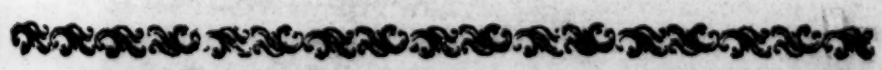


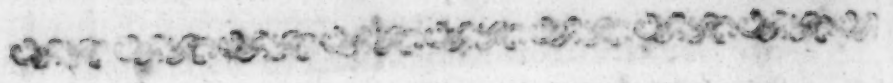
2*



ADDITIONAL
OBSERVATIONS
TO
A SHORT NARRATIVE
OF THE
Horrid MASSACRE in *BOSTON*,
PERPETRATED
In the Evening of the 5th of *March* 1770.

Printed by ORDER of the Town of *Boston*.
M DCC LXX.





ADDITIONAL
OBSERVATIONS
TO
A SHORT NARRATIVE
OF THE
Horrid Massacre in BOSTON.

REPRINTED

In the Evening of the 5th of March 1770.

Printed by Order of the Town of Boston.

M DCC LXX.



THE extraordinary conduct of the Commissioners of the Customs since the 5th of *March*, and their perseverance in it, make it necessary to bestow a few observations upon it; and upon divers matters, with which it seems to be connected.

The said Commissioners (excepting Mr *Temple*) have all retired from the town: and we find, on particular enquiry, they have not held a meeting of their board since the 9th of *March*. How they have disposed of themselves since that time we shall here relate.

Mr *Robinson* is gone to *England*. He sailed the 16th of *March*, and went not only without the leave but, as it is said, contrary to the minds of his superiors, signified to him from home. None but the few, intrusted with the secret, knew any thing of his going till after the departure of the vessel in which he went.

Mr *Paxton* retired to *Cambridge*, four Miles from *Boston*, and for the most part has continued there. He has divers times however visited the town since that retiring.

• The Copies of this Narrative, sent to *England* and other Parts, conclude with the foregoing page. Since they were sent, it has appeared necessary to add a few pages to the remaining Copies: to do which an opportunity has been given by the restraint laid on the publishing of the said Narrative here. The reason of that restraint will appear by the following Vote of the Town, passed at the Town-Meeting held the 26th of *March*, namely, “ The Committee appointed to prepare a true State of Facts, relating to the
“ execrable Massacre perpetrated on the Evening of the 5th Instant,
“ in order that the same be transmitted to *Great Britain*, having
“ accordingly reported, and the Report being accepted by the
“ Town and ordered to be printed: And whereas the publishing
“ of the said Narrative with the Depositions accompanying it, in
“ this County, may be supposed by the unhappy Persons, now in
“ Custody for Trial, as tending to give an undue Bias to the
“ minds of the Jury, who are to try the same. Therefore voted,
“ That the Committee reserve all the printed Copies in their
“ Hands, excepting those to be sent to *Great Britain*, till the
“ further Order of the Town.

“ Attest, WILLIAM CODGER, Town-Clerk.”

Mr *Hulton* sometime ago purchased a place at *Brooklyn*, five Miles from *Boston*, and has ever since resided there.

Mr *Burch*, with his wife, has retired to Mr *Hulton's*, who, together with Mr *Burch* (leaving their wives behind them) are now on a tour to *Portsmouth*, in the province of *New-Hampshire*, where the last Account from thence left them. It is now above six weeks since a board of Commissioners was held: and it is utterly uncertain when there will be another.

From their first establishment here, to the 11th of *June*, 1768, they held their boards regularly four days every week. They then retired on board the *Romney* man of war, and from thence to the castle: for what purpose, their letters and memorials lately published have sufficiently informed the world. From their re-establishment in *Boston* in *November* 1768, to the 5th of *March*, 1770, they held their boards in the same regular manner. Since that time there have been but two board meetings, the last of which was on the 9th of *March*.

Now what do all these manœuvres since the 5th of *March* indicate? Is it possible to suppose they indicate any thing less than a design to take occasion from the outrages and murders committed on the evening of that day by the soldiers (assisted perhaps from the custom-house) to represent the town in a disadvantageous light? And does not their former conduct render this highly probable?—Besides, it is a fact, that depositions have been taken in a secret manner, relative to that unhappy affair, to the prejudice of the town; and it is no way improbable that Mr *Robinson* is gone home with memorials and letters from the Commissioners and others, accompanying such depositions.

By some escapes, as well as by what the circumstances above mentioned make probable, a pretty good judgment may be formed of the substance of those Memorials, Letters, and Depositions, namely, that the Custom-house was attacked—the revenue chest in danger, but saved by the firing upon the mob—The King's troops compelled to leave the town—the commissioners thence obliged for their safety to quit it also—the consequent impossibility of their holding boards—the detriment thence arising to the revenue and his Majesty's service—all government at an end, and the Province in a state of rebellion.

If these be, either in whole or in part, the subjects of the dispatches sent home, it is very proper a few observations should be made upon them.

The Custom-house attacked—a falshood. The people drawn into *Kingstreet*, were drawn thither by the cry of fire, and the outrages of the Soldiers, which occasioned it. From the first appearance of the people in *Kingstreet*, to the time of the firing upon them, there had not passed fifteen minutes. It might with as much truth be affirmed, that they made an attack upon the Custom-house in *London*, as upon the Custom-house in *Boston*: of which latter there was not even a pane of glass broken.

The Revenue Chest in danger—a falshood. It is not probable the chest is kept at the Custom-house: but if it be, there was, and is, at least as much danger of it from some of the out-door people employed under the Commissioners, as from any body else. It is certain that some of them are of an infamous character.

The troops compelled to quit the town—a falshood. They quitted the town by the orders of their Commanding Officer, in consequence of a *request* from the Lieutenant Governor, who was advised by the council to *pray* the said Officer to remove the troops. This *request* and this *prayer* was obtained by an application from the town to the Lieutenant Governor. Into what times are we fallen, that the government of the province is reduced to the humiliating condition of *making such a prayer*!

But supposing the troops had been compelled *vi & armis* to quit the town. It would have been a measure justifiable in the sight of God and man. When the Soldiers, sent hither for the declared purpose of assisting the Civil Magistrate to keep the peace, were themselves in a remarkable manner the breakers of the peace—When, instead of assisting, they insulted him; and rescued offenders of their own corps from justice—when they frequently abused the inhabitants in the night—when they had entered into a combination to commit some extraordinary acts of violence upon the town; and in consequence of it, on the evening of the Massacre, attacked the inhabitants wherever they met them; afterwards firing upon, and killing and wounding a number of them. When all this had been done, and more threatened, it was high time they should be removed from the town. If there had

had been no other means of getting rid of them, the inhabitants would have had a right by that law of nature, which superceeds all other laws, when they come in competition with it—the law of self-preservation—to have compelled them to quit the town. This law is radical in our nature, indelible from it, and uniformly operating, where it can operate, to the removal or destruction of every thing incompatible with it; and is abrogable by no other lawgiver than God himself, the great author of it. Therefore, although the resisting the King's troops in any thing they have a right by law to do, may be adjudged treason, yet when they act contrary to law, especially in so outrageous a manner as in the present case, and retain a disposition to repeat it, whereby the lives of the King's subjects are in danger, they then cease to be the King's troops: that is, they are not the King's troops for any such purpose, but so far become traitors; and on the failure of other means of riddance from them, which the time and circumstances may make eligible and are lawful, they may (by the principles of all law, as well as by the great law above-mentioned, into which those principles are resolvable) be resisted and expelled: and not to do it, where it can be done, is a species of treason against the constitution, and consequently treason in an equal degree against the King, and all his subjects.

The Commissioners obliged for their safety to quit the town—If one falsehood can be more so than another, this is the greatest yet mentioned, and is as ridiculous as it is false. Their conduct and such a declaration by no means agree. Would they in that case occasionally visit the town? Would they trust themselves in the environs of it? Could they think themselves safe at *Cambridge* and *Brooklyn*? Could they think themselves safe any where in the province, or indeed in *America*? Must they not know, if any evil were really intended them, it might easily overtake them any where, and every where on this side of the *Atlantic*? Some other reason than their safety must therefore be looked for to account for their retiring, and discontinuing their boards. A similar proceeding of theirs in *June*, 1768, and their Letters and Memorials, lately published, give occasion at least to conjecture what that reason may be. Is it not probable it was to corroborate the said depositions, and thence induce administration to think it necessary, not only that

troops already here should be continued, but that a further number should be sent to strengthen and support them? If this measure cannot be effected, and should the Commissioners be so unfortunate as to remain here unattacked in the absence of the troops, it might naturally be thought they could have remained here without them in 1768; and therefore that they had put the nation to a very great expence, for no other purpose than further to alienate the affections of the *Americans*, and to give them an additional reason to wish themselves independent of it: And hence the Commissioners might have cause to expect a national resentment against them.—However injurious to us the effects of such policy may be, we cannot but applaud it (on the principles of the *Machiavilian* system) as it stands related to themselves. If they thought their own existence in danger, considered as Commissioners, how natural was it to use the means to support it? And what fault could be found with the means, if those principles justified them? Why need they trouble their heads about consequences that would not affect themselves? or, if they would, and such existence appeared precarious without those means, was it not necessary they should be used, and the consequences disregarded?—If the means be successful to the end for which they seem designed, it requires no prophetic spirit to foretel that the consequences may be——bad enough. Whether the present Commissioners, or any Board of Commissioners at all (whose appointments are fully equal to any benefit the Nation or Colonies are likely to reap from them, and whose usefulness hitherto may be valued by some of the negative quantities in algebra) are *things* of importance enough to hazard those consequences, or any ill consequence at all, is humbly submitted to the wisdom of administration to determine.

The consequent impossibility of their holding boards—This impossibility was of their own creating. If they had continued in town (from whence they had not the least reason to depart, unless to answer purposes they would choose to conceal) they might have held their boards as usual.

The detriment thence arising to the Revenue, and his Majesty's service—If any such detriment has arisen, the fault is their own. *His Majesty's service* is a cant term in the mouths of understrappers in office. Many of them ei-
ther

ther do not know the meaning of it, or abuse it to answer their own corrupt purposes. It is used to express something distinct from the service of the people. The King and People are placed by it in opposite interests. Whereas, by the happy constitution we are under, the interest of the King is the interest of the people, and his service is their service: both are one, and constitutionally inseparable. They who attempt to separate them attempt to destroy the constitution. Upon every such parricide may the vengeance both of King and People descend.

Government at an end—This has been the cry ever since the stamp-act existed. If the people saw they were going to be enslaved; if they saw Governor *Bernard* (from whom they had a right to expect that he would do nothing to promote it) was zealous and active to rivet the chains; and that *his* government, in its principles and conduct, tended to the establishment of a tyranny over them, was it unnatural for them in such a case to reluct? was it unreasonable to refuse an acquiescence in such measures? Did an opposition to them indicate a disregard to government? If government, in the true idea of it, has for its object the good of the governed, *such* an administration could not be called government: and an opposition to it by no means included an opposition to government. From such an opposition has arisen the cry, that government is at an end. The sooner *such* government is at an end the better.

When a people have lost all confidence in government, it is vain to expect a cordial obedience to it. Hence irregularities may arise, and have arisen. But they will cease, when the true ends of government are steadily pursued. Then, and not till then, may it be expected, that men of weight and influence will exert themselves to make government respected. Nay, such exertions will then be needless, for mankind cannot help respecting what is in itself respectable, especially when it is at the same time so promotive of their own good as good government is.

The province in a state of rebellion—Into this state its enemies, on both sides of the *Atlantic*, have been endeavouring to bring it. When they could not make it subservient to their interest and views; and when their measures had raised a spirit of opposition to them, that opposition was made the lucky occasion to represent the province in a state of

of rebellion, or verging towards it. To justify such a representation the more fully, they endeavoured to drive it into that state: whereby in the end they might hope to gratify both their malice and avarice: their malice, by injuring it most essentially; and their avarice, by the subjection of it to their tyranny and pillage. But nothing can be more false than such a representation: nothing more foreign from this people than a disposition to rebellion. The principles of loyalty were planted in our breasts too deep to be eradicated by *their* efforts, or any efforts whatever: and our interest co-operated with those principles.

It is humbly hoped his Majesty will not be influenced, by such representations, to think unfavorably of *his faithful subjects of this province*: and that hope is grounded upon their innocence: of which they have the highest evidence in their own consciousness; and of which they have given their adversaries no other cause to doubt, than what arises from an opposition to *their* measures. Measures, not only ruinous to the province, but hurtful to *Great Britain*, and destructive of the union, and commercial intercourse, which ought always to subsist between her and her Colonies.

The foregoing Observations appeared necessary to vindicate the Town and Province from the aspersions so unjustly cast upon them. The few that follow refer to the present and future state of *Great Britain* and her Colonies.

HOW happy is *Britain* with regard to situation, and many internal circumstances; and in her connection with her Colonies!

Separated from the rest of the world, and possessed of so large a naval force, she is secure from foreign invasions: her government (well administered) is the best existing; her manufactures are extensive, and her commerce in proportion. To the two latter the Colonies have in a considerable degree contributed. By these means she has risen to her present opulence and greatness, which so much distinguish her among the powers of *Europe*. But however great and opulent she may be, she is capable of being still more so; and so much so, that she may be deemed at present in a state of minority, compared with what she will one day probably

probably be, if her own conduct does not prevent it. The means of this greatness are held out to her by the Colonies; and it is in her power, by a kind and just treatment of them, to avail herself of those means.

The Colonists are husbandmen, and till lately have manufactured but a small part of their clothing, and the other articles, with which they had been usually supplied from *Great Britain*. But they have been taught by experience, they can supply themselves; and *that* experience (which has been forced upon them) has demonstrated most clearly, that they have within themselves the means of living conveniently, if not with elegance, even if their communication with the rest of mankind were wholly cut off. This, however, could not be an eligible state: but no one intitled to, and deserving the liberties of an *Englishman*; can hesitate a moment to say, that it would be preferable to slavery; to which the Colonists have apprehended themselves doomed, by the measures that have been pursued by Administration.

If the Colonists might be permitted to follow their inclinations, with which at the same time their interest coincides, they would be husbandmen still, and be supplied as usual from *Great Britain*. The yearly amount of those supplies (as appears by the exports from *Britain*) is very considerable*, and might be in future in proportion to the increase

* The value of the exports from *Britain* to the Colonies in 1766, which was less than in 1765, stood thus:

To <i>New England</i>	- - -	£ 409,642
<i>New York</i>	- - -	- 330,829
<i>Pennsylvania</i>	- - -	- 327,314
<i>Virginia and Maryland</i>	- - -	- 372,548
<i>Carolina</i>	- - -	- 296,732
		<hr/>
		£ 1,737,065

This is taken from *The Present State of the Nation*: in which there is an account of the said exports for the years 1765 and 1766 only.

Now, supposing the observation just, that the Colonists (whose number by the said Pamphlet is estimated two millions) double every twenty years, and the exports from *Great Britain* to the Colonies should increase in that proportion, the value of the said exports

increase of the Colonists. Their increase is rapid : they are daily emigrating from the old towns, and forming new ones ; and if they double their numbers every twenty years, as it is said they will continue to do, so long as they can form into families by procuring the means of subsistence at an easy rate, which probably will be the case, till *America* shall be well peopled, there will be in a short time a prodigious addition to his Majesty's subjects ; who, if not compelled to manufacture for themselves, will occasion a proportionable demand for the manufactures of *Great Britain*. If it be considered

exports and the number of the Colonists, at the end of five such periods after 1766, will stand thus :

Value of Exports.	
In 1766	£ 1,737,065 for two millions of Colonists,
1786	3,474,130 for four millions,
1806	6,948,260 for eight millions,
1826	13,896,520 for sixteen millions,
1846	27,793,040 for thirty-two millions,
1866	55,586,080 for sixty-four millions of Colonists.

The last mentioned numbers are so large, that it is likely the principles on which they are formed may be called into question. Let us therefore take only one quarter part of those numbers ; and then the value of exports from *Britain* to the Colonies, in 1866, will be more than thirteen millions sterling for sixteen millions of Colonists. It is highly probable, by *that* time there will be at least that number of Colonists in the *British* Colonies on this continent. Now, in case there be no interruption of the union and harmony that ought to subsist between *Great Britain* and her Colonies, and which it is their mutual interest should subsist and be maintained, what good reason can be given why such exports should not bear as great a proportion to the number of the Colonists as they do at this time ? If they should, the value of such exports (which will be continually increasing) will be at least thirteen millions *per annum*. A sum far surpassing the value of all the exports from *Great Britain* at this day.

In what proportion so vast a trade with the Colonies would enlarge the other branches of her trade ; how much it would increase the number of her people, the rents and value of her lands, her wealth of every species, her internal strength, her naval power, and particularly her revenue (to enhance which in a trifling degree has occasioned the present uneasiness between her and the Colonies) are matters left to the calculation and decision of the political arithmeticians of *Great Britain*.

considered too, that *America*, from its different soils and climates, can raise perhaps all the productions of other countries in the same latitudes: which being remitted in exchange would most of them be rough materials for *Britain* to manufacture; what a fund of wealth and power will *America* be to her! Her inhabitants, of every denomination, by finding employment, and the consequent means of subsistence, will greatly encrease; and her trade and navigation be in proportion. She might then view with indifference the interdiction of her trade with other parts of the world; though she would always have it in her power, from the superiority of her naval force, which such a trade and navigation would enable her to support, to do herself justice, and command universal respect.

Connected with her Colonies, she would then be a mighty empire: the greatest, consisting of people of one language, that ever existed.

If these observations be not wholly visionary, and a mere reverie, they possibly may not be unworthy the consideration of Parliament: whose wisdom will determine, whether any revenue whatever, even the greatest that *America* could possibly produce, either without or with her good will, would compensate the loss of such wealth and power; or justify measures that had the least tendency to bring them into hazard: or whether for such a revenue it would be worth while to hazard even the present advantages, resulting to *Great Britain* from an union and harmony with her Colonies.



*K. see general title prefixed
to 766* A N *3*

A P P E A L

TO THE

W O R L D;

OR A

V I N D I C A T I O N

OF THE

Town of B O S T O N,

FROM

Many false and malicious Aspersions

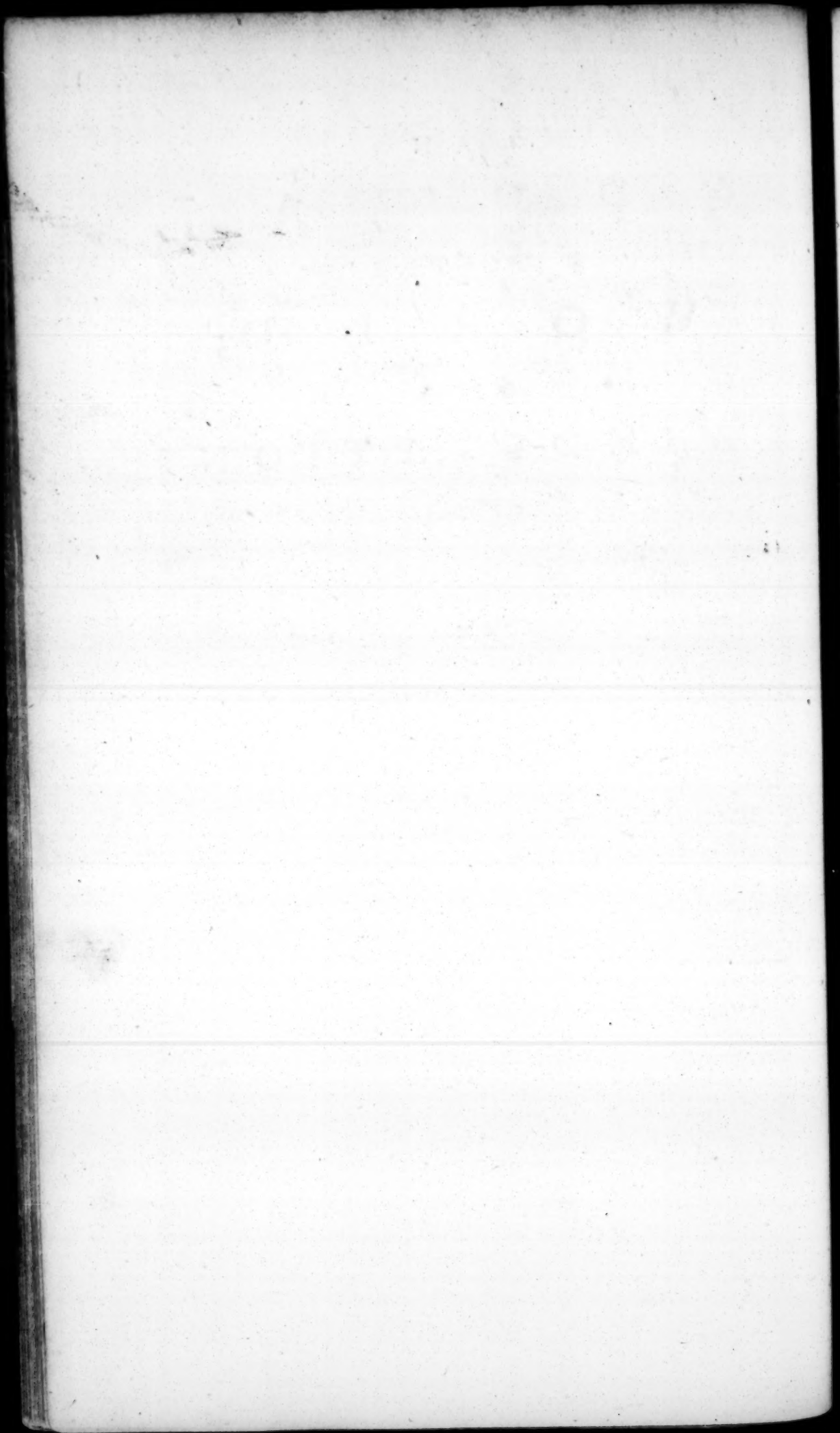
C O N T A I N E D

In certain Letters and Memorials, written by Governor Bernard, General Gage, Commodore Hood, the Commissioners of the American Board of Customs, and others, and by them respectively transmitted to the British Ministry.

PUBLISHED BY ORDER OF THE TOWN.

Boston, Printed by EDES and GILL: And LONDON,
Reprinted for J. ALMON, opposite Burlington-House,
in Piccadilly. 1770.

[Price One Shilling.]



*AT a Meeting of the Town of BOSTON,
legally assembled, on Wednesday October the
4th, and thence continued by Adjournment
to Wednesday October 18, 1769.*

THE following Remarks, upon the Letters written by Governor Bernard, and others, were ordered to be published; and the Committee were directed respectfully to transmit a printed Copy of the same to the following Gentlemen, viz. The Honorable Col. *Isaac Barré*, Esq; a Member of Parliament; His Excellency *Thomas Pownal*, Esq; late Governor of this Province, and a Member of Parliament; *Benjamin Franklin*, Esq; Doctor of Laws; *William Bollan*, Esq; Agent for his Majesty's Council of this Province; *Dennys De Berdt*, Esq; Agent for the House of Representatives, and *Barlow Trecothick*, Esq; Alderman of the City of LONDON, and a Member of Parliament.

Attest.

William Cooper, *Town-Clerk.*

Just Published,

(Being the PAPERS AT LENGTH referred to in THE
APPEAL)

L E T T E R S to the EARL of HILLSBOROUGH from
Governor BERNARD, General GAGE, Commo-
dore HOOD, the Commissioners of the Customs at Bos-
ton, and the Council of Massachusetts Bay; contain-
ing their whole Correspondence with the Ministry, from
the beginning of January, 1768, to the end of July,
1769.

In two Parts, Price 5 s. 6 d. sewed. Either Part
may be had separate.

Printed for J. ALMON, opposite Burlington-House, in
Piccadilly.

Of whom may be had,

A COLLECTION of the most ESTEEMED TRACTS,
printed in England and America, on the Subjects of
Taxing the American Colonies, and *Regulating* their
Trade. In four Volumes, half-bound and lettered,
Price 1 l. 4 s.

An A P P E A L, &c.

THE town of Boston having by the generous care of WILLIAM BOLLAN, Esq; formerly a very worthy inhabitant in it, but now a resident in London, received authentick copies of Letters, Memorials, &c. written by Governor Bernard, General Gage, Commodore Hood, the Commissioners of the American board of Customs and others, and laid before the Parliament; which contain many base insinuations and virulent charges of an high nature against the town: the freeholders and inhabitants in a legal town meeting assembled for the purpose, have considered the same. As they have not yet been favoured with the particular vouchers, if indeed these gentlemen have produced any to the Ministry before whom they laid their accusations, it cannot be expected they should be enabled to make so full a vindication of the town as otherwise they might: they have however endeavoured to extract from these writings, so far as the town is concerned in them, and to lay before the public their true spirit: from whence it will appear how restless Governor Bernard and his associates have been in their malicious intrigues to traduce not this town and province,

B

vince, alone, but the whole British American Continent.

In his letter to the Earl of Shelburne, dated March 19th, 1768, he tells his Lordship, that “ he sees such an opposition to the Commissioners and their officers, and such a defiance to the authority by which they are appointed, continually growing, that he can no longer excuse his informing his Lordship of the detail of facts, from whence the most dangerous consequences are to be expected.”——It is observeable here, how artfully he connects an opposition to the Commissioners with a defiance of the authority by which they are appointed; and this with an apparent design to represent this town as disaffected to his Majesty’s Government in general, than which nothing can be more false and malicious. That the people should entertain the highest disgust of a board, instituted to superintend a revenue to be rais’d from them without their consent, which was and still is exacted with the utmost rigor, is natural; after they had so loudly as well as justly complained of the revenue itself, as depriving them of the very idea of liberty: but it cannot be said with the least appearance of truth that they set at defiance the King’s authority, at the very time when they were actually yielding obedience to those revenue laws, under all the hardships of them, and were patiently waiting for the happy issue of their just complaints,

complaints, and their humble petitions to their Sovereign for the redress of their grievances.—The Commissioners had however at that time surely no reasonable grounds to expect any injury to their persons or interruption in their office ; for they had been more than four months in the town without the least danger of this kind, although they had from their first arrival discovered such an arrogance and insolence of office, as led many persons to apprehend, that they aimed at nothing less than provoking the people to such a degree of intemperence as to make an appearance of it. But being disappointed in this, mere shifts and pretensions are to be sought after ; and accordingly we find Mr. Bernard beginning his “ *detail* ” to his Lordship, with telling him there had been “ frequent *reports* of insurrections intended, in which it *had been said*, the houses of one or more of the Commissioners were to be pulled down.” The Governor, it is to be observed, relies much upon *reports* in his letters even to Ministers of state, while few if any among us ever heard of such reports : he does not so much as attempt to make it appear to his Lordship that these frequent reports were brought to him by persons of credit, or that they were well grounded ; and it is very much to be questioned, whether he received his intelligence from any other persons, but the Commissioners themselves, their dependents and expectants, the number of whom

are encreased to an enormous degree, more than sufficient to devour the whole revenue, and many of them are of the most abandoned characters.

But to give a colouring to these ideas of an insurrection, there must be something more alledged than barely that there had been frequent reports of its being intended; and therefore his Lordship is told of an event which in fact took place as some few remember, but the story is wrought up by the Governor with all the strokes of masterly invention to serve the purpose. "A number of lads," says he, "paraded the town with a drum and horn." And what possible harm could there be in that? Why among other houses "they passed by the Council-chamber when he was sitting in Council:" and did they stop to insult the Governor and Council? Such a circumstance would doubtless have embellished his Excellency's narrative. Their passing by however carried the air of an insult, though in all likelihood the unlucky boys might not know that his Excellency was there.—But they had "assembled before Mr. Paxton's house," and lest it should be forgot, his Lordship is reminded that Mr. Paxton is "a *Commissioner*." And did they do Mr. Paxton the *Commissioner* any injury? Yes truly "they huzza'd," and went off.—Then they "invested Mr. Burch's house," and his Lordship is also told, that Mr. Burch is
" another

“ *another* Commissioner,” and “ his lady and children were obliged to go out of the back door to avoid the danger that was threatened ;” so that they were not threatened with mischief, but with danger only. It has been usual for the Commissioners to affect an apprehension of danger to themselves and their families, to serve the purposes they had in view. There is indeed no accounting for the real fears of women and children. The ladies however can sometimes vie with their husbands in intrigue, and are thoroughly versed in the art even of *political* appearance. And it is said that *all* are politicians in this country : whether this lady, whom Gov. Bernard has *politely* ushered into the view of the public, *really* thought herself in danger or not, it is incumbent on him to show that there were just grounds for her apprehensions, that Mr. Burch’s house was in fact “ invested,” and that “ the most dangerous consequences were to be expected.” The world may be assured, there was not the least appearance of this kind ; and yet, these are Mr. Bernard’s own declarations to his Majesty’s Ministers, grounded upon vague and idle reports, beneath one of his rank and station to take any notice of, and especially with a design to misrepresent. He expresses a surprize, and surely he must counterfeit it, that this matter of “ the parade with the drum and horn,” was after

ter all treated as the diversion of a few boys, as it is still thought to have been by all who can remember so trifling an occurrence, except the Governor and his adherents—the diversion of a few *innocent*, though perhaps vulgar boys, who neither did nor intended to do the least harm to them or any other persons, nor were they able to effect it, if they had such a design. But after this, says Mr. Bernard, “it was *reported*, that *the insurrection* was postponed till the 18th of March”—The idea is still kept up of a *designed* insurrection, how else could it be *postponed*? and “two persons, says he, one of them Mr. Paxton, a *Commissioner*, were mentioned as devoted to the resentment of the mob.” It is strange that no persons should have heard of all this but the Governor and his *informers*; for he tells his Lordship, that he “took all the pains he could to discover the truth of this report”; and “on the very day before, he spoke with the most knowing men he could procure”, who had heard nothing about the matter. At length, however, “late in the evening, he had certain advice that effigies were prepared, but it was too late to do any thing, and—his information was of *that nature*, he could not make use of it *in public*.” To induce his Lordship however to believe that the reports of *the insurrection*, which was postponed to the 18th of March, with every circumstance as just now related, were

were well grounded, he tells him, as if it was designed to be the prelude to the whole, that "early in the morning the Sheriff informed him that the effigies of Mr. Paxton and Mr. Williams were in truth hanging upon liberty-tree"!—There was in the time of it, a strong suspicion in the minds of many, that these effigies were hung up by some *particular persons* on that day (which was to be observed as a day of Festivity), with a design to give a colouring to just such a representation as Gov. Bernard now makes.—There are persons here capable of playing such a game; and there are some circumstances which make it appear that such a suspicion was not groundless. Particularly it is difficult to account for Governor Bernard's neglecting to give orders to prevent their being hung up after he *certainly* knew it was intended; and that he should pretend it was too late the evening before; but especially, his not chusing to make use of his information, or it may rather be supposed his informants name in public, unless it was through fear of discovering the plot, is dark and unaccountable—If there was a design of this nature, it must have been truly mortifying to those who were in the secret, that the design was so soon frustrated: for before the Governor could meet his council, which he had *prudently* "the day before summoned to meet," and while he was "sending round to get
them

them together as soon as possible it might be ; amidst all these *careful* preparations, the effigies, says the Governor, “ were taken down by some of *the neighbours* without opposition” ! Their being thus, perhaps unexpectedly, taken down, is sufficient to evince the good disposition of the inhabitants in general : that *They* were not in the plan of an insurrection, *whoever else might be*, and that the Governor therefore might with safety, *if he had been so inclined*, make use of his information in public. — It might possibly indeed have totally overthrown his design in writing this very letter to his Lordship.

But the best improvement is to be made of every appearance : accordingly the Governor hastens to his Council, who were then met, agreeable to his appointment the *day before*, and there he tells his Lordship, he “ set forth in strong terms the atrociousness of this insult ; the danger of its being followed by actual violence, and the necessity there was of *providing for the peace of the town*.” However atrocious the insult might be, where could be the danger of its being followed by actual violence, when some of the inhabitants themselves had taken down the effigies, with at least the tacit consent of the whole community ; for it was done without the opposition expected, perhaps *hoped for* : and what necessity of providing for the peace of the town, when the people already discovered so peaceable a disposition. It would doubt-

doubtless have pleased the Governor well, if his Council had advised to some *severe* measures; such as might have afforded a firmer foundation for him to have represented the town as upon the eve of an insurrection, than groundless reports or informations, from his own pimps, which it was not *prudent* for him to make use of in public. But "all he could say" to that purpose though he strove hard for it, "made no impression on the Council;" They, says he, "persevered in treating the affair as of no consequence," as well they might; for it is questionable after all, whether there was the least apprehension then of any Commotion even in the mind of the Governor himself, whatever were his pretensions. The Commissioners however took this opportunity "of setting forth the danger *they* apprehended;" and the Governor, very readily no doubt, took the occasion to acquaint the King's Minister, that he had received a letter from the Commissioners, "*desiring the protection of the Government*".

Mr. Bernard proceeds in his narrative, and entertains his Lordship with a very minute account of the celebration of the anniversary of the repeal of the Stamp-Act; and "the terrible night it produced"—to Mr. Burch, *one of the Commissioners*, and his lady and children who had moved to his house for safety;—"to the lieutenant Governor and the Sheriff of the County who

C

were

were also with him ;” and in fine to all “ those who thought themselves objects of the popular *fury*.” It may be here observed as in general true, that no man has reason to fear the popular fury, but he who is conscious to himself of having done that which has expos’d him to their just resentment — The Governor himself owns, that “ the selectmen of the town” and “ some others”, and even the gentlemen who dined at two taverns near the town-house, upon the occasion of the day, “ took great pains that the festivity should not produce a riot.” There is no reason to suppose this was mentioned for the sake of giving a credit to any of those gentlemen, but rather to insinuate that the people were so outrageously disposed as that they could not be restrained even by their own *Leaders*; for most of those whom the Governor has *honoured* with that character were present. The truth is, none of them were apprehensive that *their* festivity would produce a riot; but they were careful to prevent the lighting a Bonfire, because the Governor had constantly represented that as “ the usual signal for a mob;” and the joys of the evening among the lower sort, which however innocent are sometimes noisy, would of course be represented as riotous. — And thus he did in fact represent it to his Lordship; for he tells him, that “ many hundreds of people of all kinds, sexes, and ages, paraded

ded the streets with yells and outcries"—— That they "invested Mr. Williams's house"——That "at two different times about midnight they made outcries about Mr. Paxton's house." And tho' after all, he owns it was "out of mere wantonness", yet he says the whole made it a terrible night." This is painting indeed, much beyond the life: but Mr. Bernard has the art in perfection. He could not however persuade even General Gage, to give it such a colouring; for the General in his letter to Lord Hillsborough, dated Boston the 31st of October, 1768, tells his Lordship quite otherwise; and that "according to the best information he had been able to procure, the disturbance in March (which was this very instance) far from being "terrible as the Governor represents it, was in truth "trifling." This being the account given by one of the principal servants of the Crown in America, and who has discovered himself far from being partial *in favour* of the town, it is needless to add any thing further on this head—*Trifling* as indeed this "disturbance" was, such improvements were made of it by Gov. Bernard and others, that it occasioned the ordering two regiments from Halifax to this town, for a purpose for which the military power was certainly never designed; a very dangerous purpose, and abhorrent to the British constitution and the spirit of a free government,

ment, namely to support the civil authority—A measure which has caused continual terror to his Majesty's peaceable subjects here, and has been productive of more disturbance and confusion than has been known in the memory of any now living, or than is recorded by any historian, even the most *partial* against this country.

We shall now take notice of Governor Bernard's letter to the Earl of Hillsborough, dated Boston, June 11, 1768, wherein he gives his Lordship an account "of a great riot that happened in this town the preceding evening." And it must be confessed there was a riot on that evening, which is by no means to be justified. It was however far from being so great an one as the Governor represents it to be.—The collector and comptroller of the customs indeed represent it as a "numerous mob," but they being particularly interested, their fears might deceive them.—It was not a numerous mob; nor was it of long continuance, neither was there much mischief done. It was occasioned by the unprecedented and unlawful manner of seizing a vessel by the collector and comptroller: and considering their illegal proceedings in making the seizure, attended with the most irritating circumstances which occasioned this mob—the intolerably haughty behaviour which the Commissioners who ordered this seizure, had constantly before discovered

discovered towards the people—the frequent threats which had been given out, that the town should be put under a military Government, and the *armed* force actually employed as a prelude to it, it cannot be wondered at, that in a populous town, such high provocations, and the sudden exertion of lawless power, should excite the resentment of some persons beyond the bounds of reason, and carry them into excess.—We cannot state the circumstances of this affair with greater impartiality, than by reciting the sentiments of his Majesty's Council after two days enquiry and consideration, in their own expressions, viz.

“ HIS Excellency having laid before the Board a representation of some transactions relating to, and in consequence of the disorders in the town of Boston on the evening of the 10th of June last, the Board think it necessary *in justice to the town* and province, and in vindication of themselves, to make some observations thereon, and to give a fuller representation than is contained in the paper laid before the Board.

“ With regard to the said disorders, it is to be observed that they were occasioned by the making a seizure (in a manner unprecedented) in the town of Boston on the said 10th of June, a little before sunset, when a vessel was seized by several of the officers of the customs; and immediately after, on a signal given by one of said officers,

officers, in consequence of a preconcerted plan, several armed boats from the Romney man of war took possession of her, cut her fasts, and carried her from the wharf where she lay, into the harbour, along side the Romney; which occasioned a number of people to be collected, some of whom, from the violence and unprecedentedness of the procedure with regard to the taking away of the said vessel, and the reflection thereby implied upon the inhabitants of the town as disposed to rescue any seizure that might be made, took occasion to insult and abuse the said officers, and afterwards to break some of the windows of their dwelling-houses, and to commit other disorders. Now, though the Board have the utmost abhorrence of all such disorderly proceedings, and would by no means attempt to justify them, they are obliged to mention the occasion of them, in order to shew, that however culpable the said disorderly persons were, the officers who seized, or those by whose orders such unusual and violent measures as were pursued in seizing and taking away the said vessel, were not faultless: it being highly probable that no such disorders would have been committed, if the vessel had not been with an armed force, and with many circumstances of insult and threats, carried away from the wharf."

The Council further say, "with regard to what happened on the 10th of June, it seems

seems to have sprung wholly from the persons who complain of it, by the plan laid and the orders given for making the seizure aforesaid, and carrying it away by an armed force. Which circumstances, together with the time of day of seizing the vessel, makes it seem probable, that an uproar was hoped for and intended to be occasioned by the manner of proceeding in making the seizure."

From this impartial state of the matter, it must evidently appear to every candid mind, that the opposition was made, not at all to the seizing of the vessel by the officers of the customs, but wholly to the *manner* in which it was secured; and that if it had been done in the usual manner, as the Council afterwards say, "it would have remained secure in the hands of the officers"—This corresponds with the Commissioners own account; for they say in their letter to Governor Bernard, June 12, that they received a verbal message from the people to the following purpose, "that if the sloop seized was bro't back to Mr. Hancock's wharf, upon security given to answer the prosecution, the town might be kept *quiet*." But this pacific proposal, tho' brought to them as they acknowledge "by a person of credit," they expressly declare "appeared to them as a *menace*," and it was in fact one of their very reasons for requesting the Governor to give directions that

that they might be received into the castle for protection—So totally regardless were they of the peace of the town, and so excessively fond of being thought by others as important as they fancied themselves to be, that when this reasonable and timely proposal was brought to them even by a person of credit in *their own* esteem, they haughtily replied, that “ they gave no answers to *verbal* messages,” which plainly indicated either a wantonness of power in them beyond all bounds, or the hopes if not the intentions of a further uproar.—

Governor Bernard tells his Lordship, that this riot “ had very bad consequences,” which is undoubtedly true : the exaggerated accounts which he and the Commissioners gave of it to the Ministry, and their taking occasion to represent the town itself as in a state of disobedience to all law and authority, and indeed the whole continent as ripe for a revolt, were attended with the worst of consequences to the town. The Commissioners say in plain terms, that “ there had been a long and *extensive* plan of resistance to the authority of Great-Britain,” and that “ the seizure referred to “ had hastened the people of Boston to the Commission of actual violence sooner than was intended.” Such *inflammatory* representations as these had the effects which they had long wished-for; and induced the Ministry to order two other regiments to this town; the consequence
of

of which, if they or any of them are continued, it is to be feared, far from reconciling the people to the present measures of administration, will only increase their discontent, and even alienate their affections.

The Governor in the postscript to his letter, June 13, mentions his having intelligence from the Commissioners of some *particulars*, from whence *they concluded*, that they were immediately exposed to further violences, and desired protection at the castle.— this intelligence is contained in their letter of June 12, just now mentioned, wherein they take upon themselves to charge the Government with having used no measures for securing the peace of the town, alledging in general terms that “there was the strongest reason to expect further violences”. And they further say, that “his Excellency himself had acquainted them that *Boston was no place of safety for them*”. Here we see that the intelligence which the Governor represents to his Lordship as having been received by him from the Commissioners, he first communicated *to them* ; and thereupon they grounded their pretended fears in their letter *to him*, and desire the protection of the Government. This is all of a piece, and may serve to explain the *frequent rumours* of an insurrection, mentioned in a former letter, and from what quarter these frequent rumours came. It shows the combination, and the

D

settled

settled design, of the Governor and the Commissioners, to blacken the character of the town; and how dextrously they can play into each others hands—The Governor the next day, June 13, wrote to the Commissioners, and acquainted them, that “having communicated their letter of the 12th to the Council, they desired him to inform them, that during the sitting of the Council on Saturday morning, there was no reason at all given to expect further violences, and that there was no apprehension either in *the Governor* or the Council of an immediate danger.” It is incumbent on the Governor, or his friend, *if he has any*, to reconcile this with what he had before told the Commissioners, “that Boston was no place of safety for them”. It seems Gov. Bernard was perpetually teizing the Council with the Commissioners vague reports of an insurrection, and of the danger they were in; and indeed it appears to be the main point in view to perswade the Council if possible into a belief of it, or if not, to form a complaint to the Ministry, that they were negligent of their duty in not advising to proper measures for the protection of the Commissioners; and from thence to enforce a necessity of military force to restore and support Government in Boston—Why did he not lay before the Council the *particulars*, which he tells his Lordship he had received from the Commissioners, from
whence

whence *they concluded* that they were exposed to further violences? This we hear nothing of; perhaps the intelligence, like that which he mentions in a former letter, "was of such a nature that he could not make use of it in publick." He indeed tells the Commissioners, that "he had informed the Council of their *present* apprehensions of further violences, and that they were then taking the same into consideration."— But he should have fairly represented this matter to the Commissioners, and told them that the Council had *already* taken the same into consideration, and come to a conclusion, as in fact they had; for by their own minutes we find, that "the matter being *fully debated*, it appeared to the Board, that there was no immediate danger of fresh disturbances." They at the same time advised that the matter should be laid before the General Court then sitting, and postponed the consideration of it by them, *as of Council to the Governor*, till the effect of such a proposal should be known. All this the Governor knew; how then could he consistently say that they were *then* taking it into consideration. He tells Lord Hillsborough, that "he was against the business being laid before the General Court, but was obliged to give it up"; and that "he had many objections to the measure." He knew very well that the drawing this matter into open day-light, would

effectually defeat his design ; and that the intention of bringing the Council, if possible, to join with the Governor in requiring the military force, or accusing them of negligence in case they did not, would thereby be entirely frustrated.—The removing the business to the General Court, he tells his Lordship, was however, upon *one consideration*, not “ entirely to his dissatisfaction ;” for he says, it was then in a great measure “ taken out of his hands” ; and he concludes, that “ as he cannot conduct this business as it ought to be,” or rather as he chose it should be, “ it may be best for him to have but little hand in it.”—It may not be amiss here to recite the declaration of his Majesty’s Council at a full Board on the 29th of July, six weeks after the Commissioners *voluntary* exile to the castle, in consequence of these *pretended* apprehensions of further violences. The Council say, “ the Commissioners were not obliged to quit the town ; there never had been any insult offered to them ; their quitting the town was a voluntary act of their own ; we do not apprehend there was any sufficient ground for their quitting it ; and, when they had quitted it, and were at the castle, there was no occasion for men of war to protect them.” Such an authority, will, no doubt, be deemed sufficient to vindicate the town from this aspersions ; especially, as the Council had then had time coolly to
recol-

recollect the matter : as they had born their full testimony against the disorders, and taken every step which belonged to their department, to bring the offenders to condign punishment : but more especially, as that very Board had always before supported the Governor's measures to the utmost extent that their consciences would allow, and many times against the general sentiments of the people, for which they had gained the Governor's applause, and his particular recommendations to his Majesty's minister ; and he himself could at this time have no other exception to any part of their conduct, but their opposition to his *favorite* plan, to introduce a military Government into the town, without the least colour of necessity, and thereby to break thro' the mounds, and tear up the very foundation of the civil constitution.

The Governor in his letter to Lord Hillsborough of the 14th of June, being resolved to give his Lordship an exact *detail* of every occurrence " from whence the most dangerous consequences are to be expected," takes occasion to mention " a paper stuck up on Liberty Tree," this paper, he had said in his letter of the 13th, contained " an invitation of the sons of liberty to meet at six o'clock to clear the land of the vermin which were come to devour them." A very innocent, if not a laudable proposal, for which the country should think
itself

itself obliged to them, to be sure, if they could have effected their design. But in this letter it is called “ a violent and virulent invitation to *rise that night* to clear the country of the Commissioners and their officers, to avenge themselves of the Custom-house officers, and put one of them to death?” And, still more alarming, “ there were also some indecent threats against the Governor!” Could the Governor think, that by the vermin that were come to devour the land, they meant his Excellency and the Commissioners? But perhaps the mind of the Sheriff who brought this information to the Governor, was somewhat agitated with the fears of an insurrection; and moreover, we may presume, that he had not seen the paper himself, but took it from *report*, in conformity to the example of the Governor, who believed, or *pretended to believe*, every word of it, till he had the *mortifying* sight of the true contents of this *very important* paper; of which the following, as he himself at length tells his Lordship, is “ an exact copy,” viz. Boston, June 13, 1768. The sons of liberty request all those, who, in this time of oppression and distraction, wish well to, and would promote the peace, good order and security of the Town and Province, to assemble at Liberty Hall, under Liberty Tree, on Tuesday, the 14th instant, at ten o’clock precisely.—It might have been supposed that so harmless a thing would have

have given offence to none. In the first place, the matters alledged in it were confessedly true: that this was a time of oppression, the people all felt: that it was a time of distraction, the Governor and the Commissioners loudly proclaimed: a design then, at such a time, to promote the peace, good order, and security of the town, was at least unexceptionable. But the Governor complains, that “ it was not considered as an implication of danger:” strange would it have been indeed, if so salutary a proposal as the promoting the peace, good order, and security of the town, had been thus considered. “ Neither, says he, was the *impropriety* of the sons of liberty appointing a meeting to secure the peace of the Town, when the Governor and Council were sitting upon that business, *and seemingly to little purpose*, taken much notice of.” But surely, if the Governor and Council could be supposed to be sitting upon *such business*, at *such a time*, and *seemingly to little purpose*, there could be no great impropriety in other peoples undertaking it. But without adopting by any means the measure, is not here a striking instance of the disposition of Governor Bernard, and some others, to receive with the greatest avidity the most aggravated accounts of every trifling occurrence that has happened, and without any enquiry, to paint them to the Ministry in the deepest colours! Behold a meeting, the professed design of which

which was to promote the peace, good order, and security of the Town, and that in open day-light, represented to the King's Minister as a meeting designed to be held at six o'clock, near sun-set, in one letter; and in another the next day, "a most violent and virulent invitation to *rise that night!* and clear the country of the Commissioners,—threaten the Governor, and commit murder!" In consequence of which he tells the Council, there is "no time to enquire into the *particulars* of the former riot." They are to be hurried to measures to provide for the *peace of the Town;*" and to prevent "new disturbances premeditated" and "immediately threatened;" and his Lordship is to be forthwith informed of it.—Certainly every candid person will from hence be inclined to believe all that Governor Bernard relates to the prejudice of this Town, or any particular persons, with great discretion.

His letter of the 16th of June, for he seemed to be almost every day employed in writing his "detail" of *common reports*, gives the earl of Hillsborough an account of "the meeting at Liberty Tree, in pursuance of the printed notice." And, after entertaining his Lordship with a particular, tho' awkward and inconsistent description of the Tree, the vast height of the flag-staff, and the design of hoisting the flag, namely, "for a signal," which to be sure must be a discovery quite
new

new to his Lordship, he proceeds to say; that, "at least 4000 men assembled," that "the principal gentlemen attended to engage the lower people to concur in measures for peace and quiet," which was the professed end of their meeting—that "one of the selectmen was chosen moderator or chairman"—that "they adjourn'd to the Town Hall" for the accommodation of so large a number. And there it being "objected that they were not a legal meeting" they "adjourned to the afternoon," he should have said, broke up; and the selectmen instead of "legalizing the assembly," as it is oddly expressed, called a Town-meeting, agreeable to the directions of the law, to meet in the afternoon. All this was certainly an innocent proceeding, and the Governor himself, it is presumed, did not think otherwise, for it happens for once, that he makes no particular remarks upon it; and if it should be said of them, that they met *seemingly to little purpose*, it might be said truly enough; but it is to be remembered, that another assembly, with their chairman at their head, if the Governor's ludicrous account of the meeting of that very respectable body could be credited, might in that respect keep them in countenance.—But innocent as it was, the Governor did not chuse it should be thought that *he* viewed it in that light, and therefore told the Council, and his Lordship afterwards,

E

terwards, that “ had it been the first business of the kind, he should have asked their advice, whether he should not send to the General *for troops* :” and to show his own excessive fondness for so arbitrary and violent a measure, he adds, that “ he was ready to do it, if any *one* gentleman would propose it !”

The Governor then proceeds to give a *detail* of the meeting of the Town in the afternoon ; in which he tells his Lordship, that “ many wild and violent proposals were made.” It ought here to be observed, that Governor Bernard constantly represents bodies of men, even the most respectable, by proposals made by individuals, which have been misrepresented by pimps and parasites, and perhaps aggravated by himself, instead of allowing them to stand or fall by their own conclusions—Can any thing be more base, more contrary to equity than this ?—What should we think of the most respectable corporations at home—what even of both Houses of Parliament, if they were to be judged of by every motion that has been made, or every expression that has dropped from individuals in the warmth of debates. If it had been true that such proposals were made, nay, if measures that could not have been altogether justified, had been even adopted by the Town, at a Time when every art had been practised to irritate the people, and inflame their minds, the candid

did part of mankind would have been ready to overlook it.—The Governor has often been observed to discover an aversion to free assemblies : no wonder then that he should be so particularly disgusted at a legal meeting of the town of Boston, where a noble freedom of speech is ever expected and maintained : an assembly, of which it may be justly said, to borrow the language of the ancient Roman, with a little variation, *Sentire quæ volunt et quæ sentiat dicere licet*, they think as they please, and speak as they think.—Such an assembly has ever been the dread—often the scourge of tyrants—But these “ wild and violent proposals,” which no one can recollect but the Governor, and perhaps his informers, it seems were “ warded off” as the Governor is pleased to express it ; from whence it may be supposed, that prudence directed at this meeting, “ originated and composed as (he says) it was”——By these expressions it is conceived, he would intimate to his Lordship that it was both illegal and tumultuous ; and if that was his real intention, the insinuation was both false and injurious.—The meeting was “ originated” as the law directs, and nothing was there concluded upon, according to the Governor’s own account, but the appointment of a committee, which he himself says “ in general was very respectable,” to wait on him “ with a petition ;” the receiving his answer, as he is pleased to say,

with "universal approbation !" Writing a letter to a friend, and voting such instructions as they thought proper to their representatives. After which he tells his Lordship they "broke up *quietly*," and "the meeting ended." But notwithstanding this *quiet*, and as may be concluded by the Governor's account of it, *coalizing* Town meeting, which consisted of so large a number, and among whom he himself was so "popular," that even "the moderator declared that he really believed he was a well-wisher to the Province." (Thus saith Governor Bernard, but no one remembers or believes it) yet all this will not avail to soften his mind, or alter his intentions. And although he tells his Lordship, "the Romney and a sloop of 16 guns just come in will compleat the command of all the approaches to the Castle, and other ships of war are expected, so that the security of the Commissioners is effectually provided for;" yet the *favourite point* will not be carried, till the long-wished for troops arrive, to enforce his arbitrary designs, and suppress the spirit of liberty. And now is the Time, if ever, to press the matter; every hand therefore must be set to work, and nothing will serve the cause like continually holding up the idea of an *insurrection*. Accordingly, we find one of the auxiliaries, whose letter, tho' anonymous, has credit enough to appear in the list laid before Parliament, says, "It is *my* opinion, that

that the promoters of the present evils are ready to unmask, and openly to discover their long and latent design to REBEL"—and——“ involve this country in blood and horror !” Another anonymous writer, who is said to be “ well acquainted with the state of the town of Boston,” says, that “ he observes a sourness in the minds of the people in *general*,” and adds, “ he that runs may read, that without *speedy interposition*, a *great storm* will arise.”——The Collector and Comptroller of the Customs mention *with deep concern*, as they affect to express themselves, “ that a *general spirit of INSURRECTION* prevails, not only in the Town, but throughout the *whole Provinces*.”——The Commissioners themselves, in their letter to General Gage, tell him, “ that it is utterly impossible to carry on the business of the revenue in the town of Boston, from the outrageous behaviour of the people :” they acquaint the General “ of the *alarming* state of things in the Town, and desire him to *give them protection*.” And though Governor Bernard, when not so much on his guard, or perhaps under some little compunction of mind, in his letter to the Commissioners, June 13, gently chides them for their ill-grounded fears, and tells them, “ he is *very sorry* that they think themselves so much in danger in Boston (which he had before said was no place of safety for them) as to think it unsafe for them

them to reside there ;” notwithstanding all this, yet in the letter we are now considering, which was written nearly at the same time, he positively assures his Lordship, that, “ if there is not a REVOLT, the leaders must falsify their words and change their purposes.” Perhaps he would have been more consistent if he had imagined these letters would ever have seen the light. He concludes his letter with mentioning a few more “ papers stuck upon the Town-House.”——No evidence however appears to have accompanied all these heavy charges upon a whole community : but Governor Bernard and others seem to have conducted their proscriptions as if they could have even foreseen, that the bold assertions of persons apparently inimical to a country, anonymous letters, street conversation picked up by pimps and spies, and papers stuck by no one knows whom on a public building, would be of so much weight as to influence the measures of administration ! Can any person believe this is a just representation, when Governor Bernard with all his industry and *aid* has not been able to furnish proof, that any body or combination of men, or even a single person, had incurred a legal penalty, if we except the disturbances that happened on March and June already considered.

The Governor in his letter of the 9th of July informs his Lordship of a manœuvre, as he calls it, of the sons of liberty ; a number

ber of them going out of Boston at the close of a certain day in parties, and meeting on each side of a house in Roxbury, which Mr. Robinson (and his Lordship must be informed that he also was one of the Commissioners) had lately hired, with an intention to surprize him and prevent his escape; but he being at the castle, *where the Commissioners had been driven for safety*, they did nothing but plunder his fruit trees. This is a very solemn account indeed; but he never laid this "manœuvre of the sons of liberty," *extraordinary* as it was, before the Council, which he never failed to do on like occasions; thinking possibly, that respectable body might be of opinion, that a gentleman of any political party may be supposed to have had his orchard or fruit gardens robbed by *liquorish boys*, without making a formal representation before his Majesty's first ministers of state. As the Governor will still have it that the Commissioners were "*driven to the castle for safety*," we take occasion to observe here, that it was notorious, that they frequently landed on the main, and made excursions into the country; visiting the Lieutenant-Governor and other gentlemen at their seats, where it would have been easy to have seized them if any injury had been intended them; which as his Majesty's Council very justly have observed, "demonstrated the insincerity of their declarations,"

declarations," as it did those of the Governor, "that they immured themselves at the castle for safety."

Another part of the detail in this letter is the rescue of a vessel which had been seized by the Custom-house officers. It seems by Governor Bernard's account, it had been "thought proper to try an experiment;" for says he, "when the sloop was seized which occasioned the riot, and in consequence of which the Commissioners were obliged to leave the town, the greatest part of the resentment was expressed against the putting her under the care of the man of war;" which was very true, and he might have also said, the making the seizure with an *armed* force, and therefore, he adds, "when this schooner was seized, it was left at the wharf, under no other care but two Custom-house officers," in hopeful, no doubt, if not certain expectation that the rescue would be made, from whence it might possibly be made to appear, that the resentment against the proceedings of the Custom-house officers in the former instance, as being violent and illegal, was mere pretence. The rescue was made, and it was universally displeasing to the town. The Governor says, "this very molasses was the next day returned," and tells his Lordship, that "the selectmen of the town sent for the master of the schooner," and "ordered him to return it,
under

under pain of the displeasure of the town ;" which is a gross misrepresentation of the matter, and artfully designed to prepare for the subsequent ungenerous remark, that " all Government is now in the hands of the people." A good magistrate would have rejoiced in this instance of the people's voluntarily affording their aid in the recovery of the King's Due, which had been rescued from him, without torturing his invention to find an ill-natured construction for it; but Gov. Bernard is disturbed that " the humour of the people," which he says this was done " to please," should ever coincide with their duty to their Sovereign—The voluntary association of the people to promote peace and good order, he had before said " carried an implication of danger" to the Government; and now, when they seem to unite in taking measures for the execution of a law, altho' in its nature disagreeable to the people, why truly " the Government is in the hands of the people, and not of those deputed by the King, or under his Authority." But if the people had a view to save their own reputation in this piece of service to the Crown, as the Governor intimates, surely he will not say it was " ill-judged" or " ill-timed." The truth is, they had a *particular* view at this time to prevent Governor Bernard's improving this rescue, which they were in no sort concerned in, to the prejudice of the

F

town,

town, as had been his constant practice in other cases, and as it now evidently appears he intended: and it was certainly a wise precaution; tho' a candid mind will by no means exclude any other *good* intentions.— We cannot forbear taking notice here with *freedom*, of a very extraordinary assertion of Governor Bernard, in this letter to his Lordship, that “ every seizure made, or attempted to be made on land at Boston for these three years past, before these two instances, had been violently rescued or prevented.”—An assertion so notoriously false, that few men could have made it without blushing; and we may suppose even Governor Bernard himself would not have made it, had he apprehended it would ever have become public. *— The officers of the customs themselves will not venture to affirm it. If the assertion is true, his Majesty's Council must have been egregiously mistaken when they declare, that “ no instance can be alledged of any vessel seized

* *It is remarkable that Governor Bernard, not long before these letters were made public, expressed to a certain gentleman, his earnest wish, that the people of this Province could have a sight of all his letters to the Ministry, being assured that they would thereby be fully convinced that he was a friend to the Province— Indeed he made a declaration to the same purpose, in one of his public speeches to the House of Representatives. Upon the Arrival of the letters however, he discovered, as some say, a certain Paleness, and complained of as an hardship that his letters, wrote in confidence, should be exposed to the view of the Public.— A striking proof of the Baseness, as well as the Perfidy of his heart!*

or any seizure whatever in the town of Boston being rescued out of the hands of the officers, except what took place here on the 8th of July instant, when a quantity of molasses (this very molasses) having been seized, was taken away from the officers who had charge of it; which unwarrantable proceeding being universally condemned, the molasses was very soon returned." As this base story was *invented* and told by Gov. Bernard, with the sole intention of casting an odium upon the town, we have reason to expect his retraction of it; or he must bear the reproaches of an highly injured community, and the just censures of all impartial men. After these false and injurious assertions, he thinks it a proper time to acquaint his Lordship, that the one regiment which he had the flattering expectation of, from a letter he had received from General Gage, "tho' it might secure the castle, would not be sufficient to *awe the town*;" which was in effect asking for *more*. Thus we see the means which Governor Bernard and his confederates have been incessantly using to accomplish their designs; and strange as it may in some better times hereafter appear, these means and these very instruments at length prevailed to introduce a military power into this town—A power which is daily trampling on our laws, contemning our religion, and invading the rights both

of persons and property—A power by which a truly loyal but long abused and highly provoked community, is, not indeed *awed*, but distressed—And were it not for the certain advice that our humble and dutiful supplications have at length reached the royal hand, we should be reduced even to a state of desperation!

Governor Bernard in his letter to Lord Hillsborough of the 16th of September, begins with acquainting his Lordship with the *prudent* methods he took, to communicate the expectation of the troops *gradually*, for fear of certain ill effects that might arise from their sudden arrival. And no wonder that the man who had long been representing a whole country as *rebels*; and had been *one* of the *principal* instruments in bringing such a curse upon it, should at that juncture be under some apprehensions of danger. In his last letter he talks of his *personal courage*, and tells Lord Hillsborough, that “ he did not feel his own *firmness of mind* to fail :” he also mentions “ the *spirited conduct* of the Lieutenant-Governor; and with pleasure assures his Lordship, that “ he could depend upon *his* resolution and steadiness as much as he could upon *his own* ;” from whence he concludes, that “ there would be no want of a *due* enforcement of the laws to the correction of the present abuses :”—But *now* he seems to be conscious of fear!—Happy was it for him, that he

was

was in the hands of a people ; who attended to the dictates of sound policy, religion and loyalty—He first opens this matter to one of the Council, and tells him, that “ he had private advice that troops were ordered hither, but that he had no publick orders about it himself ;” and he observes, that “ it quickly was very thoroughly circulated all over the town,” and the *faction* immediately took the alarm.” By this he would insinuate that the better sort of the people, and even the generality of the town, were well enough pleased with it. If the faction *only* took the alarm, the generality of the town must have been included in the faction: for in truth, he had the mortification of seeing the whole body of the people, saving his own very few adherents, who were properly an *implacable faction*, thoroughly awakened and alarmed at the sudden expectation of a military force, which had indeed been often threatned by this faction, but few realized it before—And now the pimps were all immediately sent out, who no doubt were rewarded in proportion to their success in the business ; and the Governor soon had intelligence brought to him of the conversation of “ *private companies* :” and that in one “ it was the general opinion to raise the country and oppose the troops ;” in another “ it was resolved to surprize and take the castle.” How ridiculously impertinent must he appear in the eyes of men

men of sense, after all to acquaint his Lordship, that “ he does not relate these accounts as *certain* facts.” To what purpose then did he relate them at all! It seems that he was full as *designing*, in communicating to Lord Hillsborough, as he was in communicating to the people, tho’ his designs were different: for the people were not to be told the *whole* that the Governor knew to be true; but his Lordship was to be induced to believe *more*:—In either case if the purpose could be served, sincerity was out of the question. Uncertain however as these facts were, his Lordship is informed, that they were yet “ believed!” Strange, as they were said to be facts of yesterday, that no one, after all the pains that had been taken, could make them *certain*; and if they were not to be made certain, stranger still that any in their senses should *believe* them.—Some men are very apt to believe that which they *wish* were true: this no doubt is the present case.—And besides, we are to remember, that more than two regiments were wanted to *awe the town*; and if the Governor could boldly say, that these reports, vague as they were, had obtained *any* credit here, no matter *by whom* believed, they would have some weight. But he must be presumed to think very *injudiciously* of the head or the heart of a *Minister of State*, to suppose that such an undigested and ridiculous account of things would

would influence *his* measures. Nothing, we should think, but the great candor which has ever appeared in Lord Hillsborough towards Governor Bernard, could have prevented his severest censure.—But admitting they were true, which was by no means the case, certainly the town is not accountable for what one of his Excellencies spies might have overheard in a “ private company.”—Let us then consider the account the Governor gives of the *public* conduct of the town, at a meeting legally called on Monday, September 12. And first he says, “ at the hall the faction appeared furrounded with all its forces ;” and an appearance very *decent* at least, it seems, they were capable of making according to the Governor’s account. For he tells his Lordship, “ a set of speeches by the chiefs of the faction, and *no one else*, followed in such *order* and *method*, that every thing both as to *matter* and *order*, seemed to have been preconcerted ;” while alas ! the “ very few principal Gentlemen there,” the better sort in the Governor’s estimation, appeared “ as curious, perhaps *anxious* spectators !” Where is now the little remains of an *expiring* faction, which he had so often told the world of ? the tone is wonderfully altered ; the body of the people are now *truly* represented as united, firm and *regular* in their opposition to his measures, while his own *few partizans*, who yet must be stiled “ *the principal gentlemen*,”
 though

though expecting every moment to be “surrounded with all *their* forces,” appeared inquisitive and *anxious* for the event! But nothing was resolved upon, says the Governor, but to put two questions to me, and appoint a general committee to consider and report.” The main question to the Governor was. Whether he had certain expectation of the troops? To which he answered with an artful ambiguity, that he had private advice, but no publick orders about it. His private advice might have been *certain*; or he might have had *authentick* publick advice without public orders about it, for General Gage was commander in chief of the King’s forces. Being however somewhat pressed by the committee who waited on him, he discovered a duplicity for which he has a peculiar talent, and said, that he would not have the town *certainly* expect the troops; although he then expected them himself, and fully believed they were on their passage from Halifax; and in this letter to Lord Hillsborough he tells him, that it was at that very time his intention to communicate these expectations of them *gradually* — His account of divers speeches made in the town meeting is as uncertain, and with regard to some of them, as untrue, as the intelligence he had received, of the *private conversation*: perhaps it was carried to him by the same hands, as some of *his* principal gentlemen were there.

The

The resolves and determinations of this meeting, as the Governor says, were published to the world; and they remain on the records of the town that posterity may judge of them. The town has seen no reason since to revoke these resolves, notwithstanding they have been sentenced as "very dangerous resolves, procured by mad people," by so exquisite a judge, in matters which regard *civil* Government, as well as so polite a gentleman as General Gage. The Governor himself has been since respectfully requested by the selectmen, in behalf of the town, to shew in what respect the resolves and proceedings of this very meeting had militated with law; but he declined it: and we believe he declined it, because he was not able to do it. Spirited indeed they were, but not too spirited for the times.—When the constitution is *threatened*, the principles of the constitution must, if ever, be asserted and supported—The Governor indeed takes notice of our claim to a certain clause in the bill of rights as "a large stride:" but as we are free British subjects, we claim all that security against arbitrary power, to which we are entitled by the law of God and nature, as well as the British constitution. And if a standing army may not be posted upon the subjects in one part of the empire, in a time of peace, without their consent, there can be no reason why it should in any other; for

G

all

all British subjects are or *ought to be* alike free.---

The Governor in a former letter to Lord Hillsborough mentioned, the selectmens ordering the arms belonging to the town to be brought out and cleaned; and to make something of the story, he told him that "they were exposed some hours at the town house;" in this letter he says "these arms were deposited in chests, and laid upon the floor of the town hall to *remind the people of the use of them.*" Could any one besides Governor Bernard, descend to so pitiful an artifice as to insinuate that these arms were cleaned, exposed to the people, and finally laid on the floor of the hall at this juncture, to induce his Lordship to believe, that *these* were the forces with which the faction appeared "surrounded," and that the selectmen who are the principal City Magistrates, and the leading part of the town itself, were actually in the plan which he had just before mentioned, as concerted in one of the private meetings, "to raise the country and oppose the troops:" and that these arms deposited in chests were laid on the floor of the hall, to "remind the people of the use of them," and inspirit them for the purpose of opposing the troops. Whereas the simple truth of the matter is, these arms had for many years been deposited in chests and laid on the floor of the town hall; but the hall itself being burnt a few years ago,
the

the arms were saved from the ruins and carried to the town house: after the hall was re-built, the town ordered their removal there; and tho' it happened to be done at a juncture when the Governor and his confederates talked much of the town's *revolt*ing, there was no other thought in the minds of any, except the Governor and a few more, and it is a question whether even he, or they, really thought otherwise, but to lodge them in their proper and *usual* place.

We cannot help taking notice how very exact the Governor sometimes is even in the choice of words, in his "detail of facts" to a Minister of state: an instance of which we have now before us, wherein he mentions to his Lordship his inclosing "a blank copy of the *precept* (as he is pleased to call it) which the selectmen have used," it is a wonder it was not *issued*, for that would have made it appear more *formal*, "in calling together the convention;" from whence he takes occasion to say, it was "a daring assumption of the royal authority." Here then is the treason and misprision of treason, or a part of it least, about which there has been such an eclat of late; for which the Governor tells his Lordship in his *detail* of the convention, every well-wisher of the Province, of whom he is doubtless one, "most devoutly desires the charter may be forfeited"--And some of the leaders were

to be sent to England to be tried there.—Nay, his Lordship, or some one of his Majesty's Servants is informed that they expected it themselves; for Commodore Hood in one of his short and *pithy* Epistles, says, "they were alarmed, and expected nothing less than a voyage to England against their inclinations."—But his Lordship's *deep* penetration might have discovered that this "precept to call a convention", was nothing more than a *friendly circular letter* to the selectmen of the several towns in the Province, *desiring* them to *propose* to their respective towns the sending Committees, to join with those of the town of Boston, in consulting measures to promote peace and good order: which was so far from an assumption of the royal authority, that it assumed not the least shadow of any *authority* whatever—This very innocent measure of the town in "calling together a convention", as the Governor expresses it, which he so highly censures, and upon the promoters of which he loudly calls for the national vengeance, was most certainly attended with all the happy effects for which it was proposed: for the general sentiments of the Province were thereby collected, which could not otherwise have been done; the Governor having arbitrarily dissolved the General Assembly, and positively refused to call another, against the dutiful petition of the convention itself, as well as
of

of the town, even before they proposed or thought of it—The several towns having the opportunity of conferring together by their Committees, had the same effects which followed a certain *circular letter* which formerly so perplexed his Excellency; for the people became the more united in the measures proper to be taken for the preservation of their common rights at so critical and alarming a juncture. And tho' the Governor says "at the fountain head it was intended to provoke resentment," yet to this very measure has been imputed, in some small degree at least, whether justly or not, it becomes not this town to say, that *prudence* as well as firmness and perseverance in the cause of liberty, of which it is hoped this country will forever avail itself. Even Governor Bernard cannot but own, that the convention discovered "moderation" and "a temperate conduct," which is far from being inconsistent with *true fortitude*: but he is not willing that the town of Boston should "*assume* the merit of it." They are very far from a disposition thus to assume: they are content to have that share of merit which their beloved countrymen are willing they should have. And tho' he would insinuate to his Lordship with his usual cunning, that there was at the convention an *essential* difference of sentiments between the town and the country; and that "many of the *deputies*
came

came down with a disposition and instructions to prevent the Bostoners (as he elegantly expresses himself) involving the province in the consequences of their own mad devices;" and that many of them "were from the beginning sensible of the impropriety and danger of this proceeding;" his Lordship, as "they printed what they did," has no doubt been since convinced, that they were *united* in their sentiments of the common cause.

But this very peaceable proposal, the Governor thinks, exceeded the "Great Rebellion when it was at the highest, and the confusion arising therefrom most urgent for some extraordinary measures." Here is the burden of the song—*extraordinary measures!* And surely his Lordship must propose some *very extraordinary* measures to chastise a *greater* than the Great Rebellion, even when it was at the highest.—Not content with pouring forth this torrent of zeal, the Governor still presses upon his Lordship; and assures him, that "unless it is prevented by some power from without, not only the Crown officers will be excluded," but "every ingredient of royalty" in the Government of the province will be totally destroyed—What rhetoric! to arrest his Lordship's attention, and hurry him on to conclude with the Governor, that "the force already ordered by General Gage, viz. two regiments, will not be sufficient."—In order still to heighten

heighten the ideas of an intended rebellion, the Governor adds, "it is now a great question whether the King's troops will be suffered to enter the town or not." And "the design against the castle is now so well known, that it is probable that the very names of the people who were enrolled for that service to the number of five hundred, or of the chiefs of them will be discovered." It is pretty remarkable, the Governor in the former part of this letter informed his Lordship, that he did not relate *this very* account as a certain fact; his spies must then make very quick rotations, and the intelligence flow in very fast, to be so well assured of it before he concluded; or the Governor must be so unfortunate, perhaps not having time in the multiplicity of his affairs, to keep a regular *Diary*, as to forget what he had wrote, and as we every now and then find it happens, in the "*overflowings*" of his zeal, to be inconsistent with himself.

It would be an endless task to take particular notice of every false and injurious representation contained in these voluminous letters."* No one can read them without
being

* In deed it might be said, *the whole World would not contain* all the remarks that might be justly made upon them. One instance however seems to have been overlooked by the Town; and as it is an instance of importance, it is hoped, its being noticed in the margin, will not be thought amiss. The Governor, after having prevailed upon the Council, at a very *thin* Board, and by the majority of *one* out of only *eleven* gentlemen present, to advise to the clearing the Manufactory-house in Boston, for the reception

being astonished, at seeing a person in so important a department as Governor Bernard

tion of a part of the two Irish regiments then expected ; in his letter to Lord Hillsborough of Nov. 1st, he gives him an account of the steps he had ordered for *the removal of the families* out of the house. And it seems, that the Governor, by a power which he had *assumed*, appointed the Sheriff and two of his deputies, Bailiffs for the Governor and Council, for the purpose : these families, however, refused to submit to *such* authority, even though the Chief Justice himself *condescended* to go with the Sheriff, and *advised* them to give up the house. The Sheriff, upon the third attempt says the Governor, “ finding the window open, entered ; upon which the people gathered about him and shut him up ; he then *made a signal*, to an officer who was without, who *brought a party of soldiers*, who took possession of the yard of the building, and relieved the Sheriff from his confinement”—This is the Governor’s account of the matter ; but others give a very different account of it, and say that the Sheriff attempted a *forceable* entry, and was resisted by the people within the house ; and by them *only* : certain it is, that one of them commenced an action of trespass against the Sheriff ; but what became of the action the records of the court of Common Pleas will best show : it is also certain that an officer, a *Military* officer, who was without and *at hand* ; and upon a signal from the sheriff, brought a party of soldiers, the whole regiment being then encamped in sight on the Common ; and the *soldiers* (not the inhabitants as the Governor asserts) “ kept the house blockaded all that day and best part of the next.” It is further certain, and it may be attested by the oaths of divers persons of credit, that offers were made to the Sheriff, of sufficient aid in the *legal* execution of his office, if he would dismiss the troops ; illegal steps being at the same time excepted against.—Great numbers of people during *the siege*, as it may be properly called, were collected in the street, which is as spacious as in any part of the Town, but the Governor owns they did no mischief : he indeed represents it in his usual manner, as a GREAT MOB *assembled with some of the chiefs of the faction*, intimating thereby, as in his former letters, “ an intended insurrection :” the General on the other hand says, the matter “ occasioned a *little disturbance* of no consequence ;” but takes care to add, that “ it served to show a most obstinate

nard sustained, descending in his letters to a Minister of state, to such trifling circumstances, and such slanderous *chit-chat* : boast-

nate spirit of opposition to every *measure* of Government." The Governor further says, the inhabitants " were very abusive to the soldiers."—The contrary is most certainly and *notoriously* true. He says also, that " the soldiers were withdrawn on the evening of the second day : " so far is this from truth, that the guard of soldiers, to whose custody the Sheriff committed the cellar of the house, which he had got the possession of, kept their post a *much longer* time ; and application was made, to divers of his Majesty's justices of the peace, for their removal, *by the force of law*, near *three weeks* after. And again the Governor says, that " this building was kept filled with the outcast of the Workhouse, to prevent its being used for the accommodation of the King's troops ; " which is contradicted by *the oaths* of all the overseers of the poor, who must have known it if it had been true, for the care and government of the Workhouse is by law vested in them. The truth is, the people gathered upon this extraordinary occasion, but were very peaceable ; some few it may be to carry intelligence to the Governor, but by far the greater part, from a just abhorrence of this *measure* of Government, to borrow the general expression, and an anxiety for the event of this *first open and avowed* effort of *Military TYRANNY* ! The Governor declares, that the Council, who were alarmed at the violence of this proceeding, must have known that the entry " could not have been made without *force* ; " and he sufficiently explains what *sort of force* he meant, in the reason he gives, why the soldiers were withdrawn for that time, which was, because " the building was not immediately wanted, " the Irish regiments, for whom it was designed, as was *pretended*, not being yet arrived.—Perhaps the Governor gives this *circumstantial* account to his Lordship to confirm what he had before said, that " two regiments were not sufficient to **AWE THE TOWN** !—This attack upon the security of people's *dwelling-houses*, was as *violent* as has ever been known even under the most *despotick* Governments, tho' happily it proved unsuccessful. This is one of the *bright glories* of BERNARD's administration : *he*, who with so much *readiness* and exact *propriety* afforded the aid of his *advice*, and PREJUDG'D the matter, claims, however, his share in the annals of fame.—

H

ing,

being astonished, at seeing a person in so important a department as Governor Bernard

tion of a part of the two Irish regiments then expected ; in his letter to Lord Hillsborough of Nov. 1st, he gives him an account of the steps he had ordered for *the removal of the families* out of the house. And it seems, that the Governor, by a power which he had *assumed*, appointed the Sheriff and two of his deputies, Bailiffs for the Governor and Council, for the purpose : these families, however, refused to submit to *such* authority, even though the Chief Justice himself *condescended* to go with the Sheriff, and *advised* them to give up the house. The Sheriff, upon the third attempt says the Governor, “ finding the window open, entered ; upon which the people gathered about him and shut him up ; he then *made a signal*, to an officer who was without, who *brought a party of soldiers*, who took possession of the yard of the building, and relieved the Sheriff from his confinement”—This is the Governor’s account of the matter ; but others give a very different account of it, and say that the Sheriff attempted a *forceable* entry, and was resisted by the people within the house ; and by them *only* : certain it is, that one of them commenced an action of trespass against the Sheriff ; but what became of the action the records of the court of Common Pleas will best show : it is also certain that an officer, a *Military* officer, who was without and *at hand* ; and upon a signal from the sheriff, brought a party of soldiers, the whole regiment being then encamped in sight on the Common ; and the *soldiers* (not the inhabitants as the Governor asserts) “ kept the house blockaded all that day and best part of the next.” It is further certain, and it may be attested by the oaths of divers persons of credit, that offers were made to the Sheriff, of sufficient aid in the *legal* execution of his office, if he would dismiss the troops ; illegal steps being at the same time excepted against.—Great numbers of people during *the siege*, as it may be properly called, were collected in the street, which is as spacious as in any part of the Town, but the Governor owns they did no mischief : he indeed represents it in his usual manner, as a GREAT MOB *assembled with some of the chiefs of the faction*, intimating thereby, as in his former letters, “ an intended insurrection :” the General on the other hand says, the matter “ occasioned a *little disturbance* of no consequence ;” but takes care to add, that “ it served to show a most obstinate

nard sustained, descending in his letters to a Minister of state, to such trifling circumstances, and such slanderous *chit-chat* : boast-

nate spirit of opposition to every *measure* of Government." The Governor further says, the inhabitants " were very abusive to the soldiers."—The contrary is most certainly and *notoriously* true. He says also, that " the soldiers were withdrawn on the evening of the second day : " so far is this from truth, that the guard of soldiers, to whose custody the Sheriff committed the cellar of the house, which he had got the possession of, kept their post a *much longer* time ; and application was made, to divers of his Majesty's justices of the peace, for their removal, *by the force of law*, near *three weeks* after. And again the Governor says, that " this building was kept filled with the outcast of the Workhouse, to prevent its being used for the accommodation of the King's troops ; " which is contradicted by *the oaths* of all the overseers of the poor, who must have known it if it had been true, for the care and government of the Workhouse is by law vested in them. The truth is, the people gathered upon this extraordinary occasion, but were very peaceable ; some few it may be to carry intelligence to the Governor, but by far the greater part, from a just abhorrence of this *measure* of Government, to borrow the general expression, and an anxiety for the event of this *first open and avowed* effort of Military TYRANNY ! The Governor declares, that the Council, who were alarmed at the violence of this proceeding, must have known that the entry " could not have been made without *force* ; " and he sufficiently explains what *sort of force* he meant, in the reason he gives, why the soldiers were withdrawn for that time, which was, because " the building was not immediately wanted, " the Irish regiments, for whom it was designed, as was *pretended*, not being yet arrived.—Perhaps the Governor gives this *circumstantial* account to his Lordship to confirm what he had before said, that " two regiments were not sufficient to **AWE THE TOWN** ! — This attack upon the security of people's *dwelling-houses*, was as *violent* as has ever been known even under the most *despotick* Governments, tho' happily it proved unsuccessful. This is one of the *bright glories* of BERNARD'S administration : *he*, who with so much *readiness* and exact *propriety* afforded the aid of his *advice*, and PREJUDG'D the matter, claims, however, his share in the annals of fame.—

H

ing,

ing, as he does in one of his letters, of his *over-reaching* those with whom he was transacting publick business; and in order to prejudice the most respectable bodies, meanly *filching* from individuals belonging to those bodies, what had been dropped in the course of business or debate: journalizing every idle report brought to him, and in short acting the part of a pimp rather than a Governor.—As these letters, being now made public, will be a monument of disgrace *to him*, it cannot be supposed, that any honor can be derived from them, to those great men to whom they were addressed.

Notwithstanding the town have been obliged in justice to themselves, to say thus much in their own vindication, we should yet be glad, that the ancient and happy union between Great-Britain and this country, which Governor Bernard has so industriously laboured to interrupt, might be restored. Some have indeed flattered themselves with the prospect of it; as intelligence is said to have been received from administration, that *all* the revenue acts would be repealed: but as it since appears by Lord Hillsborough's own account, that nothing more is intended, than the taking off the duties on paper, glass, and Painter's colours, upon commercial principles only; if that is all, it will not give satisfaction: it will not even relieve the trade from the burdens it labours under; much less will it remove the grounds
of

of discontent, which runs through the continent, upon much higher principles. Their rights are invaded by these acts; therefore untill they are *all* repealed, the *cause* of their just complaints cannot be removed; In short, the grievances which lie heavily upon us, we shall never think redressed, till *every act*, passed by the British Parliament for the express purpose of raising a revenue upon us without our consent, is repealed; till the American board of Commissioners of the Customs is dissolved; the troops recalled, and things are restored to the state they were in before the late extraordinary measures of administration took place.

Besides these letters of Governor Bernard, we find others written by General Gage, and Commodore Hood. And we cannot but observe, that although both these gentlemen were perfect strangers in the town, they have yet taken such extraordinary freedoms, and the general in particular has wrote in such a positive strain, as must unavoidably give high disgust to every reader of candor and impartiality.—If these gentlemen received the character of the town, or of any of its individuals, from Governor Bernard, as we are ready to think they did, they must have been long before convinced, if they knew any thing at all of the state of the town, that the Governor was too deeply interested in *misrepresenting*, to be credited

in a point of that importance; and therefore common justice would have dictated a suspension of their publick testimony to the prejudice of a community, till they could have had the opportunity of doing it upon impartial enquiry, or *their own* observation—The General seems to have early imbibed some sort of prejudice against a town, that had been before prejudiced in *his* favour: for the Governor in one of his letters to Lord Hillsborough acquaints him, that the General “ had sent Capt. Montresor from New-York, to assist the forces as *Engineer*, and enable them to RECOVER and maintain the castle, and such other posts as they could secure,” upon intelligence that the people in and about Boston had *revolted*. Now even the Gov. himself declares this to be a mistake, and says that things were not quite “ so bad as that came to.”—As there are two constant and regular posts between this town and New-York, each of which carries intelligence from the one to the other in the course of a week; and more especially as he might reasonably expect authentick accounts of a matter of such *importance*, by express in a shorter time; it is strange, if the General’s mind was unbiaſſed, that he should so strongly rely upon private advice, as to form his measures from them, which the Governor asserts.—It was a measure of importance, as it issued, to the town: for Col. Dalrymple who had
the

the command of the regiments, from *the authority of these new orders*, as the Governor declares, tho't proper to alter the plan, which was to land only one, and landed *both* the regiments in Boston without loss of time. Perhaps it was under the impresson of these *private advices*, and "the narrative of the proceedings of the town-meeting," which the Governor also mentions as influential on the General's measures, and which possibly was a narrative of the Governor's *own writing*, that so wrought upon the General's imagination, as to induce him to give his opinion to his Lordship, that the "intentions of the town were suspicious, and that he was happy the troops from Halifax arrived at the time they did!" These and many such like *unprovoked* expressions are to be found in the letters of both these gentlemen, and especially the General's; but as they partake of a full portion of the spirit of Governor Bernard's, and as the sense of this Province fully appears in the late spirited resolves of the house of representatives, we shall avoid troubling the publick with particular remarks upon them, and to borrow an expression of *great authority*, "treat them with the contempt they deserve."

The Town of BOSTON, at their Meeting beforementioned, came into the following Resolutions, viz.

RESOLVED, that the letters and memorials of Governor Bernard and the Commissioners of the customs in America, transmitted by them respectively to his Majesty's Ministers, and laid before the Parliament of Great-Britain, authentick copies of which are now before this town; had a tendency to deceive the Ministry, and lead them unavoidably to misinform his Majesty, with regard to the affections and Loyalty of his American Subjects in general: and that the said Governor Bernard and the Commissioners have particularly, in their letters and memorials before-mentioned, discovered an implacable enmity to this town, and the most virulent endeavours to traduce it even to his Majesty himself; by means whereof the inhabitants very sensibly feel the displeasure of their Gracious Sovereign.—

RESOLVED, that this town have reason to rejoice in the measure taken by the honorable house of Representatives, in the last session of the General Assembly; by so seasonably preferring their dutiful and loyal petition to his Majesty, for the removal of Governor Bernard *for ever* from the Government

ment of this Province: and the town take this opportunity to express their most ardent wish, that the prayer of said petition to his Majesty may be graciously heard and granted.

RESOLVED, that General Gage and Commodore Hood in their several letters to his Majesty's Ministers and servants, authentic copies of which are now before this town, have discovered an unreasonable prejudice against the town. And the General in particular, in declaring in his letter to the right Hon. the Earl of Hillsborough, one of his Majesty's Secretaries of State, that "*in truth there was very little Government in Boston*"; and in making use of other expressions *alike severe* has done great injustice to the town, and an irreparable injury. And it is moreover the opinion of the town, that the *readiness* he has discovered to receive unfavorable impressions of it, and the publick testimony he was prevailed upon to bear against it, before he could have time to make an impartial enquiry, betrayed a want of *candor* unbecoming his station and character.

RESOLVED, that many of the letters and memorials aforesaid are false, scandalous, and infamous libels upon the inhabitants of this Town, Province and Continent, of the most virulent and malicious, as well as dangerous and pernicious tendency: and that

that the selectmen be and hereby are directed to apply and complain to proper authority, that the wicked authors of those incendiary libels, may be proceeded with according to law, and brought to condign punishment.

F I N I S.

OBSERVATIONS

O N

Several ACTS of PARLIAMENT.

R. laqueus coll.
Sept 10/96

RESERVATIONS

General A. C. F. R. R.

*R. Lu general to the
superior to 766.*

*3
4*

OBSERVATIONS

OF THE

M E R C H A N T S

At Boston in New-England,

UPON

SEVERAL ACTS OF PARLIAMENT,

Made in the fourth, sixth, and seventh Years of his
Majesty's Reign,

Respecting American Commerce and Revenue, and
their Military and Civil Execution.

MDCCLXX.

RESERVATIONS

OF THE

M. R. O. H. A. M. T. S.

At Boston in New England

General Agents of Parliament

Printed in the Town of New York

By the American Congress and Government

of the United States of America

1792

OBSERVATIONS

O N

Several ACTS of PARLIAMENT, &c.

THE representative body of this people having very fully and repeatedly remonstrated against these acts, as unconstitutional, and as infringing the rights and privileges of the subject, it is unnecessary to add any thing upon that head ; but we shall confine our remarks to such parts of these acts as affect the trading interest.

B

By

By these acts certain rates and duties are imposed on molasses, sugars, wine, tea, glass, paper, and many other articles commonly imported into the British colonies in America, and several leading articles which procured remittances to Great-Britain, are now either brought into the class of enumerated articles, or subjected to the duty, risque and expence of being landed in Great-Britain; which embarrassments on the trade of the colonies must greatly diminish, if not wholly destroy, several branches of it, and so far lessen the demand for British manufactures, great quantities of which are annually imported into this province (more than the amount of our exports to Great-Britain) for the payment of which we depend not only upon what is produced among ourselves, but also upon what is caught out of the sea, or is obtained by a circuitry of commerce abroad. To collect this revenue the government is at a very great expence, equal at least (and, including the charge of men of war and cutters to guard the coast, vastly superior) to all the revenue that could be collected, had our trade been as extensive as it

was

was before those acts were made ; which is not the case now, and never will be, while they remain in force.

One principal branch of the trade of this province is the fishery carried on to the Banks, in which there are upwards of three hundred vessels employ'd, besides a great number of boats in the Bay, and about ninety sail in the mackarel fishery. The amount the fish these vessels cure, with the pickled fish and liver oil, is upwards of *one hundred and sixty thousand pounds* sterling per annum : about two-fifths of the Bank fish turns out merchantable, and is sent to Spain, Portugal and Italy, and the nett proceeds remitted to Great-Britain ; the other three-fifths, being unfit for any market in Europe, is sent with the pickled fish and mackarel to the islands in the West-Indies ; And as the English islands do not consume more than is made by the boats in the Bay, being about one-fifth, and one-fourth of the mackarel and pickled fish, the remaining two-fifths made by the Bankers, together with three quarters of the mackarel and pickled

fish, is carried to the French and other foreign islands, in return for which we receive molasses and some ordinary sugars.—This valuable branch of our trade, the fishery, almost, if not wholly, depends on our trade to the foreign islands in the West-Indies—As we cannot cure fish for the European markets separate from the other sort sent there, and as we have no other market for what is made by the Bankers, it will be lost if not sent to the foreign islands, and this loss must entirely destroy the whole Bank fishery.

Another considerable branch of the trade of this province is lumber of all kinds, also provisions, horses, and many other articles suitable for the West-India markets, in which trade there are upwards of an hundred and eighty vessels annually employed, most of which make two voyages in a year : These vessels call first at the English islands, and when they are supplied, the remainder is carried to the foreign islands.—A quantity of oak timber, staves, and other lumber is sent to Ireland, some to Madeira and the Western Islands, to purchase

wines, and some few cargoes are sent to Spain, Portugal and England, but none to any foreign port to the northward of Cape Finister.—The first cost of these cargoes of lumber being very small, the whole profits are not more than a bare freight for the vessels; but this freight is a great encouragement to ship-building, which is another considerable branch of trade in this province, wherein there have been upwards of three hundred sail built in a year, before the late embarrassments were laid on the trade, since which this number has been reduced at least two-thirds, and the tradesmen formerly employ'd in this branch of business are now obliged to procure a livelihood in some manufacture, or starve.—Some of these ships went directly to Europe with fish, oil, pot and pearl ash, naval stores and lumber, but the greatest part went to the West-Indies with lumber, fish, and other articles of our produce, the proceeds of which, with the freights from thence to England, together with the vessels, were remitted to Great-Britain, to pay for the goods we received from thence; and, by having timber plenty, and building so many vessels,

vessels, we became carriers for other parts of America. Besides the trade to the West-Indies, many of our ships formerly went to Virginia, North and South Carolina, where they carried large quantities of rum, to purchase rice, tobacco and naval stores, and took in freight for Great-Britain, where the proceeds of the whole (and indeed of all our trade) centers.

Another considerable branch of our trade is that carried on to Africa, where we send large quantities of New-England rum, not only for our own trade, but to supply the traders in ships from Great-Britain, with whom we exchange this commodity for other European articles brought out by them suitable for that trade, by means of which they are enabled to carry on their trade to greater advantage than they would otherwise do without this necessary article—And as the slaves purchased there are chiefly sold in the West-Indies for bills on London, the proceeds of this trade consequently are remitted to Great-Britain.

All

All these several branches of trade are greatly obstructed by the duties imposed, and the restrictions to which they are subjected by the aforementioned acts.—The duty on molasses, tho' reduced to one penny per gallon, which at first sight may appear but small, yet, as it is one tenth part of the value (when brought to market) is really large, and will be a discouragement to a trade which has insinuated itself into, and is a great spring to every branch of business among us.—The fishery, the lumber trade and ship-building, are greatly promoted by the importation of molasses, and distilling it into rum, and the trade to Africa wholly depends on this article; so that any act which hath a tendency to obstruct the importation of molasses, must be prejudicial to Great Britain.—The former acts, imposing duties on molasses, were intended only as a regulation of trade, and to encourage our own islands, and the duty was only on foreign molasses; but by these acts it is imposed on all molasses, and expressly for the purpose of raising a revenue.

The

The duty of five shillings per hundred on brown, and twenty-two shillings on white sugars, is a great burden on our trade to the foreign islands: If we confine ourselves to molasses, a sufficient return'd cargo cannot always be obtained; and the aforesaid duties upon sugars are so heavy, as to render the import of them so unprofitable, that we cannot pursue a trade by which we disposed of the superfluous produce of our country.

By these acts we are restrained from exporting sugars to a foreign market, without first landing them in Great-Britain, or obtaining a licence from thence to carry them directly to a foreign market.—If we go first to Great-Britain, and land them there, it will prove so expensive, by the delay and charges of unloading and reshipping, and also of a double freight and insurance, that the trade cannot be carried on to any advantage, especially in a time of war.—If we carry these sugars directly to a foreign market, by licence from Great-Britain, the difficulties and embarrassments are still greater, as the vessel in which any sugars
are

are to be shipped must first go to Great-Britain, and the master enter into bonds there, before a licence can be procured, during which the sugars are to remain in the King's stores here ; and after they are delivered in a foreign port, the vessel must return to Great-Britain to cancel the bonds, before she can proceed on any other voyage.—Tho' the liberty granted to carry these sugars directly to foreign ports by licence, might be intended as an encouragement to the trade, the regulations and restrictions are such as will effectually defeat this very design : Whereas, if we were allowed to export these sugars (after being stored here under the care of custom-house officers) to foreign markets in our own vessels, free of duty, it would encourage the bringing them here, and in time might become a very considerable branch of trade ; and in particular would enable us to employ our fish-ships to better advantage, as they carry no fish between decks, and consequently might be partly laden with sugars. But under the present regulations, none will ever be brought here in order to be exported to a fo-

reign market in Europe, either in our own vessels or any other.

Here it may be proper to observe, that should we be allowed the free importation of foreign sugars, even for own consumption, the trade of Great-Britain would not be injured, but greatly benefitted ; for in this case, more of the sugars made in the English islands might be carried to Great-Britain, and what they did not consume would be exported from thence to foreign markets, which would employ a greater number of ships, and thereby increase the commerce of Great-Britain, without lessening that of the colonies—and all the sugars we procured from the French islands, and carried to foreign markets in Europe, must necessarily lessen their navigation, and increase that of Great-Britain.

Formerly we made considerable remittances to Great-Britain with sugars, the produce of the English islands, which we received in return for our own produce sold there : But by the act of the 6th of his present Majesty, we find

find such a distinction made in favour of our fellow subjects in the islands, that while they may import British plantation sugars into Great-Britain *as such*, that which is imported from North-America must be deemed *French*; by which means we are cut off from an article of export which hath been heretofore considerable, and might be so still, were it not for this regulation.

Logwood and mahogany have been, by a circuitry of trade, the means of large remittances to Great-Britain—these we have obtained by small cargoes of provisions produced among ourselves, together with some British manufactures, by which many of our vessels have been employ'd; but now, by being obliged to carry them first to England, such heavy expences will be incurred, by reason of their bulk, and the smallness of their value, as must put an end to this branch of business, and consequently the trade must fall into the hands of foreigners.

The reasons given for these regulations, as mentioned in the act of the 6th of George the Third, were “ the more effectually to “ prevent enumerated goods being privately “ carried from the British colonies, into foreign parts of Europe, in vessels that “ clear’d out with non-enumerated goods ; “ and also to prevent the clandestine importation of foreign European goods into said “ British colonies.” Upon the first of these reasons we would observe, that the great care and vigilance of the custom-house officers here might answer the purpose, and effectually prevent any such enumerated goods from being exported to foreign parts.—With respect to the second, it is difficult to conceive how the obliging a vessel to stop at England, upon an outward-bound voyage, can have any influence in preventing the importation of illicit goods upon her return, especially when sufficient care was before taken to prevent such illicit importation, by obliging all vessels that have any foreign goods on board, to stop at Great-Britain on their return.

Another

Another great embarrassment to the trade of the colonies, is the multiplicity of bonds required by the aforesaid acts of his present Majesty, in addition to the bond for enumerated goods, required by an act made in the 12th year of the reign of Charles the Second, the condition of which bond is, That such enumerated goods shall be landed either in Great-Britain, or some part of his Majesty's dominions: And by an act of the 4th of George the Third, coffee, piemento, cocoa, hides, skins, pot and pearl ash, and several other articles, are added to the list of enumerated goods—besides which, no master of a vessel is allowed to take in any non-enumerated goods, without first giving another bond, with one surety, the condition of which is, That none of said non-enumerated goods shall be landed in any port of Europe to the northward of Cape Finisterre, except in Great-Britain; by which we are excluded from carrying even non-enumerated goods to Ireland, without first calling at some port in Great-Britain. If any iron, or lumber, are laden on board any vessel, the master must
give

give a third bond, on the same condition as that required for non-enumerated goods ; and in case any rum is laden on board, a fourth bond is required, the condition of which is, That such Rum shall not be landed in the Isle of Man.

These bonds the officers of the customs, in this port, require for all vessels loading any of these articles, not only for such as are going to Europe, the West-Indies, and other colonies on the continent, but even for coasters going from one town to another in the same province, and sometimes for vessels under twenty tons, going to another town within the district of the same custom-house where the bonds are given ; so that no lumber can be brought from the place of its growth, in the eastern parts of this province, to this, or any other market, for exportation, until such bond is given, though no custom-house officer reside within forty or fifty, and sometimes one hundred miles of the place where the coaster takes in his lumber: This is a very great embarrassment to the trade of
this

this province, in which there are a great number of vessels employ'd in the coasting business, and upwards of one thousand sail are annually enter'd and cleared at the several offices. This restriction appears the more unaccountable, as it is not known that one single vessel ever carried a cargo of lumber to any foreign port to the northward of Cape Finisterre. Had such a trade formerly been carried on, the coasting vessels are not capable of prosecuting such a voyage, and the charge of these bonds, and certificates to cancel them, amount annually to a very large sum.—Besides these several bonds, every master of a vessel, even a coaster, is obliged to take out a sufferance and cocket for every article laden on board; and in case he takes in any goods for which bond is required, he must have a certificate from the collector, of his having given bond for those articles; and in case he neglects taking such certificate, not only the goods for which bonds are required, but even the vessel and the rest of the cargo, are forfeited. This has been severely felt by some Traders here, who have lost both vessel

and cargo, to a very considerable value, only for want of such certificate, tho' the cocket for those goods mentioned that bonds were taken; but the certificate was either mislaid, or never delivered by the collector.—The sureties in these bonds are likewise greatly exposed, should the master neglect to send a certificate of the landing the goods for which he has given bonds, or should the collector refuse or disapprove of the certificate he may send, as being improper (tho' there should be no reason to suspect the goods were carried to any port they were excluded from) the sureties may be prosecuted in the court of admiralty, and obliged to pay considerable costs at least, if not the whole penalty, as has heretofore been experienced in that court, and is such an insupportable burden on trade, as will prevent many from engaging in it.

Before a cocket can be taken out for any goods, and some even of British manufacture, oath must be made, when, by whom, and in what vessel, the article intended to be exported

ported was imported: This, in many cases, is impossible, and will prevent some towns from being supply'd with such goods as they want, and induce others to set up manufactures of their own, and thereby lessen the consumption of British manufactures in the colonies, which must be severely felt by the manufacturers in Great-Britain.

Another great discouragement to the trade of America, is the unlimited power given to officers of the customs.—The act passed in the 4th year of George the Third ordains, That in case any information shall be commenced and brought to tryal in America, on account of the seizure of any ship or goods as forfeited, wherein a verdict shall be given for the claimer, the defendant, if the judge certifies that there was a probable cause of seizure, shall not be intitled to any costs of suit whatsoever—and further, in case an action shall be brought against any officer, for seizing any ship or goods, where no information shall be commenced, or brought to tryal to condemn the same, and a verdict shall

shall be given against the defendant, the plaintiff, besides his ship or goods so seized, or the value thereof, shall not be entitled to above two-pence damages, nor to any cost of suit: But if the plaintiff shall be non-suited, or discontinue his action, or if judgment shall be given, upon any verdict or demurrer, against the plaintiff, the defendant shall recover triple costs. By these clauses in this act, and the power and extention of the courts of *Vice-Admiralty*, the whole trade of America lies at the mercy of the officers of the customs and judge of said court, the former being impower'd to seize the ships or goods of the American merchants at their pleasure; and though they never prosecute the same, or act ever so arbitrarily or unjustly, the merchant has no remedy, the officer not being subject to any damage, or even to cost of suit, while the distressed claimant, tho' ever so much injured, if he should be non-suited, or discontinue his action, must pay triple costs: And as the governor, as well as the officers of the customs and judge of the admiralty,

are interested in those seizures, it is natural to conclude they will always encourage and promote the same; and many instances may be produced, where both vessel and goods have been condemned as forfeited, only for a small mistake or neglect of the master, and the industrious trader thereby ruined; which severities are not exercised towards our fellow-subjects in Great Britain.

Since the appointment of a board of commissioners to reside in America, the restrictions and embarrassments on the trade have been greatly increased, by the attendance and delay in entering and clearing of vessels at the collector's office, where some masters have been obliged to wait two or three days, before they could obtain an entry or permit to unload: The many oaths and certificates required, before any vessel can be cleared out, have occasioned the same delay to our outward-bound vessels.

Another difficulty attending the entry of vessels, particularly from the West-Indies, is

the master's being required to make an exact report of their cargoes on their first arrival (even at any out-ports they may put into by contrary winds) and denying them liberty to make a post-entry.—In Great-Britain, the masters are allow'd to make reports from day to day, as they find any goods omitted; but this *justice* is denied the Americans, and the board of commissioners have publicly advertised, That no allowance, for the future, shall be made for mistakes or omissions in the first report, even for adventures belonging to the seamen. This is an hardship, or rather a cruelty, as the seamen frequently get aboard more than the masters are acquainted with, and as the masters purchase their molasses on shore in tierces, and shift it into other casks of their own when brought on board the vessel, and are often filling up those casks, it is sometimes difficult for them exactly to ascertain the number and contents of the casks they have filled.—The fees taken at the collector's office, particularly for coasters, and obliging them to enter and clear in the same manner as vessels bound on foreign voyages,

voyages, and to give bonds for every trifling article they carry for private families, even for a few pounds of tea or sugar, or a few gallons of rum or molasses purchased of retailers, for which they must produce certificates, on oath, in what vessel these trifles were imported, and by whom the duties were paid, which is often impossible, are such embarrassments on this branch of business, as, if continued, it must entirely destroy it.—Formerly the coasters were not required to take cockets for every trifling article, and the fees, both entering and clearing, was only *one shilling* sterling, whereas the expence now is from *ten shillings* to *sixteen shillings*, which is more ready money than they sometimes receive for their whole freight; and as they frequently take in only a few articles, the charge of clearing those articles at the custom-house is more than the freight.—The appointment of an almost incredible number of inferior officers, as tidesmen, boatmen, waiters and others, and requiring the master to receive and lodge them under deck (without any authority to support it) is another cause of complaint—Some of
those

those wretches are persons of such infamous characters, that the merchants cannot possibly think their interest safe under their care. —The liberty these fellows take, of searching vessels before they are discharged, and sometimes before the master's have reported at the custom-house, is not only illegal, but *impudent*, and contrary to the practice in Great-Britain, where the officers never search the hold of any vessel till the master says she is discharged, and desires the waiter to certify the same to the custom-house. Another intolerable grievance is the appointment of officers of the customs on board the men of war, cutters, and other armed vessels; the arbitrary, unlawful and wanton manner in which they have exercised this authority in this province, is unprecedented in any other part of the British dominions.

Some of these officers, by force of arms, have enter'd vessels on the high seas, and in the harbours, insolently demanded of the masters their papers, broke open their hatches, and search'd the hold with lighted candles ;
even

even ships from London, with hemp and powder on board, have been treated in this manner, and both the lives and properties of his Majesty's loyal subjects thereby greatly endanger'd.—Some vessels coming into this harbour, before the masters could reach the custom-house to make report, have been boarded by armed boats from the Romney; commanded by Captain Corner: One vessel, from the West-Indies, had her hatches open'd, and twenty hog-heads of molasses hoisted upon deck, to search the hold: Another vessel, with lumber, was carried along-side the Romney, her hold unstowed, and the boards taken on board the king's ship, before the master was permitted to go to the custom-house to report: A vessel from Lisbon, bound to Marblehead, was boarded on the high seas by Mr. Panton, lieutenant of the Rose (who was likewise an officer of the customs) with a design to impress the seamen, who concealed themselves in the hold; upon which Mr. Panton assumed the custom-house officer, and pretended that

that he was going to search the vessel for uncustomed goods, and, under this pretence, enter'd the hold, and endeavour'd to impress the seamen, who stood upon their defence, and told the officer, upon his peril, not to enter the fore-hold; upon which they were fired upon, and one of the seamen was shot thro' his arm, and another wounded: This brought on an engagement, in which the lieutenant was killed, and the vessel brought out of her way, to Boston, by the man of war.—Several other vessels have been seized in the Bay, at the Vineyard, and other ports, (where they have been obliged, by contrary winds, to make a harbour) sent into ports they were not bound for, and there detain'd at a great expence, on the trifling pretence that some article (not on cargo, but belonging to the mariners) was found on board, not specified in the cockets.

Upwards of twenty sail of men of war, cutters, and other armed vessels, purchased by the board of Commissioners, have been employed

employed this year to cruize on the trade of this province, without discovering one vessel in an illicit trade, tho' their expectations were raised in hopes of plunder, by the unjust and cruel misrepresentations made by wicked and designing men. Some of the commanders of the king's ships purchased small vessels on their own accounts, and sent them into the little harbours and coves, where the men of war could not cruize; and some of these have been disguised as coasters, and every other method has been used, to detect a supposed contraband trade; even the master of a little cutter purchased a fishing boat, on his own account, for the same purpose: But being disappointed of the advantages which were expected to be reaped from the condemnation of illicit traders, or the prizes (as they call'd them) they have been induced to take advantage of the mistakes and omissions of the masters of coasting vessels, several of whom have been seized by those guarda costas, and two actually condemned for some trifles found on
E board,

board, without being in the clearance.— They have indeed seized twenty-three other vessels, upon some trifling pretences, all of which have been dismiss'd, after being detain'd some time, at a considerable expence.—The fishery has likewise been greatly distressed by the guarda costas.— Many of our fishermen cure their fish at Canso, and other places in Nova-Scotia, at a great distance from any custom-house, and when the fishing season is over, they take in the fish they have cured on shore, and return home : This has been the practice ever since the fishery was carried on, till the passing of the late acts, and the appointment of officers of the customs on board the King's vessels, since which many of the fishing vessels have been seiz'd by these avaricious officers, and condemn'd in the court of admiralty, for taking in their dry fish without first having a permit from the custom-house, and giving the bond required for non-enumerated goods; and the skippers of those vessels are now obliged to make two trips to Halifax or

Louisbourg, first to give bond and take a permit to load, and when they have taken in their fish, to procure a clearance to screen their vessels and fish from the jaws of these devouring monsters.

The Commissioners themselves (tho' by act of parliament they are not intituled to any share of the forfeitures) appear, by the whole tenor of their conduct, to have been more intent upon making seizures, than upon promoting the revenue; nor have they shewn the least disposition to serve the trade, but have taken every method in their power to embarrass it, by their directions to the collectors and other officers of the customs*, and by their employing persons of the most abandoned characters

E 2

under

* On the 27th of October 1768, John Hancock, Esq; Mr. Lewis Gray, Capt. Daniel Malcom, Capt. John Matchet, and others, were libell'd for £. 9000 sterling each, and held to bail in £. 3000 sterling each, to appear at the court of Vice-Admiralty, on suspicion of their aiding and assisting at the landing a few pipes of wine, imported in the sloop Liberty, from Madeira, more than

under them, some of whom have acted in open violation of the laws; and one in particular,

than were reported at the custom-house. The libel against Mr. Hancock came on the 7th of November, when a vast number of witnesses were examined upon interrogatories in the tedious method of the civil law, and no proof appearing against him, the court was adjourn'd to the next week, and a new set of witnesses were produced and examined in the same manner, and to as little purpose; after which the court was several times adjourn'd, and other witnesses summoned, even Mr. Hancock's most intimate friends and acquaintance, so that a great part of the winter was taken up in attending on the court of admiralty, and examining those witnesses; and after every method had been tried, and no proof could be procured against him, in the spring 1769, on the publication of the new judge of admiralty's commission, Mr. Hancock was discharg'd from this vexatious and unprecedented libel.

The libels against Mr. Gray, and others, on the same account, were dismiss'd at the same time, without examining any witnesses in the case.

About the same time Capt. Malcom, Capt. Dorrington, and others, were libell'd for £. 2400 sterling each, and held to bail in £. 800 sterling, on suspicion of their assisting at the landing a few pipes of wine, suppos'd to be imported in the schooner Friendship, from the Western Islands; and as no evidences could be produced

particular, without the least provocation, fired upon the inhabitants, and by force of arms rescued a prisoner, taken by the King's writ, from the hand of justice.

The merchants and traders in the northern colonies, and more particularly in this province, have been greatly abused by the representations that have been made to Great-Britain, of their importing large quantities of the manufactures of France, Holland, Hambro' and other parts of Europe, in a clandestine manner, which are false and malicious: The merchants in this province carry on no trade with any part of France, except to their islands in the West-Indies; and no instance can be produced

produced to support the charge in these libels, they were all dismissed at the same time Mr. Hancock's was,

Other instances of the same kind of proceedings might be produc'd, but these will be sufficient to shew in what a cruel and vexatious manner the inhabitants of this province are treated by the Board of Commissioners.

duced of any quantity of manufactures being brought from thence. The goods imported from Holland and Hambro' are all enter'd in England, and the duties, to a considerable amount, annually are paid there.—When the duty upon molasses was sixpence sterling a gallon, as there was no appropriation made of that duty, it was well known in England the officers of the customs connived at the importation, and their conduct was not disapproved: How far this will justify such representations, is submitted to the impartial public—but since the duty on molasses has been reduced, the whole, tho' grievous, has been regularly paid.

The merchants do not desire liberty to import any kind of goods that are prejudicial to the manufactures of Great-Britain, nor have they ever yet complain'd of their trade being confin'd to Great-Britain for such goods as are manufactured there, so long as they might be imported duty free.

What

What the Colonists have a right to expect and hope for, is a repeal of all the acts imposing duties on any kind of goods imported into the British colonies for the purpose of raising a revenue in America, as being inconsistent with their rights as free subjects—the removal of every unnecessary burden upon trade, and that it be restor'd to the same footing it was upon before the act of the 6th of George the Second, commonly call'd the sugar-act—particularly,

That molasses, so necessary to promote every branch of trade, and likewise sugars, be admitted free of duty.

That the importation of wines from Madeira and the Azores may be permitted, agreeable to the act of the 15th of Charles the Second.

And as the free importation of fruit, wine and oil, direct from Spain and Portugal, would be a great encouragement of the fishery, and will no ways interfere with
the

the manufactures of Great-Britain, and the obliging all vessels with those articles on board to call at some port in Great-Britain, being attended with great expence and delay ; and as the acid of lemons and oranges is become almost necessary for the health and comfort of the inhabitants of North-America, and these fruits not being able to endure repeated transportation, it is hoped the direct importation of wine, oil, and fruit of all kinds, may also be permitted.

The taking off the duties on tea, paper, glass and colours, will not relieve the trade of the burdens it labours under—But should all the revenue acts be repealed, and the trade relieved from all unnecessary restrictions, and restor'd to the footing it was upon before the act of the 6th of George the Second, and the indulgencies now mentioned be granted, it would have a happy tendency to unite Great-Britain and her colonies on a lasting foundation—all clandestine trade would then cease—the great
 expence

expence of men of war, cutters, of the commissioners, and other custom-house officers lately appointed to secure the revenue, might be saved—The trade, navigation and fishery would not only be revived, but greatly extended; and, in that case, the growth of these colonies would be very rapid, and consequently the demand for British manufactures proportionably increased.

The foregoing observations relate wholly to the revenue acts, and the conduct of the custom-house officers; but we cannot conclude without mentioning the great expence and needless trouble accruing to the trade by means of the *Naval Office*.

Since the establishment of custom-houses, and the appointment of custom-house officers, this office is altogether unnecessary, and answers no valuable purpose.

Upon this head it is proper to observe, that soon after the settlement of these colo-

F

nies,

nies, the parliament thought it necessary to take some measures for the regulation of the plantation trade. The act of the 12th of Charles the Second, for encouraging and increasing shipping and navigation, ordains what qualifications shall be necessary for vessels trading to the colonies, and enjoins *the Governor, or persons by him appointed*, to inspect and take care that the same be observed, and to take bonds for all vessels lading any of the commodities in said act enumerated.

Three years after, by the act of the 15th of the same reign, further regulations and restrictions were made, and every person or persons importing goods into the colonies obliged to deliver to *the Governor of such colony, or to such person or officer as shall be by him thereunto authorized or appointed*, a true inventory of all such goods, &c. At this time, and until ten years after, no duties were laid, by act of parliament, upon any commodities in the plantations, and of consequence no custom-houses had been
3
erected,

erected, or collectors or other custom-house officers appointed or thought of in the colonies, but the whole care and inspection of trade remained with *the Governor, or the person he appointed Naval-Officer.*

—Afterwards, by the act of the 25th of the same reign, chap. 7. sect. 3. duties being laid on sugars and sundry other articles, to be paid in the plantations, when carried from one plantation to another, the several duties so imposed were to be levied and paid to such collector or other officer, in said plantations, as should thereafter be appointed by the commissioners of the customs in England; who did accordingly appoint collectors, and such other officers as occasion required, for that purpose, who ever since their appointment, it is well known, have had the chief care and inspection of the trade.

From this account of the matter, it appears that, as formerly there were no custom-houses or custom-house officers in America, the government thought proper to devolve the care and inspection of the
trade

trade upon the Governor of each colony, or such persons as they should appoint under them for that purpose, who have been called Naval Officers; that, upon the establishment of custom-houses and custom-house officers, the establishment of a naval-office, or the appointment of naval-officers, was rendered altogether needless. The original design of government, in the establishment or appointment of either, was, that the trade might be duly taken care of and inspected, that frauds might be prevented, and that abuses in trade might be regulated: All these purposes may be, and are, effectually answered by the appointment of collectors and other officers of the customs; therefore the naval-office is altogether useless. As it is a grievous burthen, and tends greatly to retard business, and is a needless expence, without any benefit to the government, or answering any one valuable purpose, we have just grounds of complaint, and cannot but hope this office will be dispensed with.

Upon the whole, the trade of America is really the trade of Great-Britain herself; the profits

profits thereof center there : It is one grand source from whence money so plentifully flows into the hands of the several manufacturers, and from thence into the coffers of landholders throughout the whole kingdom : It is, in short, the strongest chain of connection between Britain and the colonies, and the principal means whereby those sources of wealth and power have been, and are, so useful and advantageous to her. The embarrassments, difficulties, and insupportable burdens under which *this trade* has laboured, have already made us prudent, frugal and industrious, and such a spirit in the Colonists must soon, very soon, enable them to subsist without the manufactures of Great-Britain, the trade of which, as well as its naval power, has been greatly promoted and strengthened by the luxury of the colonies ; consequently any measures that have a tendency to injure, obstruct and diminish the American trade and navigation, must have the same effect upon that of Great-Britain, and, in all probability, PROVE HER RUIN.

F I N I S.

profits thereof either there : It is one grand
 source from whence money is plentifully
 flows into the hands of the several manufac-
 turers, and thence into the coffers of
 landlords throughout the whole Kingdom :
 It is, in short, the strongest chain of con-
 nection between Britain and the colonies.
 And the principal means whereby those
 colonies of wealth and power have been and
 are becoming so. The colonies, and in-
 particular the West-Indies, have been
 the great source of the British trade, and
 the great support of the British navy, and
 the great instrument of the British power.
 The colonies, and in particular the West-
 Indies, have been the great source of the
 British trade, and the great support of the
 British navy, and the great instrument of
 the British power. The colonies, and in-
 particular the West-Indies, have been the
 great source of the British trade, and the
 great support of the British navy, and the
 great instrument of the British power.



A LIST of BOOKS and PAMPHLETS, printed for
J. ALMON, Bookseller and Stationer, opposite Butlington-
House, in Piccadilly.

In the Press.

- 1 **T**HE History and Proceedings of the British House of Commons ; containing the most remarkable Speeches, Motions, Resolves, &c. &c. from 1746, to the Death of his late Majesty, in 1760. Printed in the same Size and Manner as the former Editions of Parliamentary Histories and Debates. In 3 vols 8vo
- 2 Camden's Britannia, 2 vols folio.
- 3 Chambers's Dictionary of Arts and Sciences, with the Supplement, 3 vols fol.
- 4 A Collection of the Petitions presented to his Majesty during the Year 1769, for the redressing of Grievances.
- 5 A List of all the Changes since the Accession of his present Majesty, to the End of the Year 1769.

Just Published,

- 6 A fair Trial of the Important Question : or the Rights of Election asserted, against the Doctrine of Incapacity by Expulsion or by Resolution : Upon true constitutional Principles, the real Law of Parliament, the common Right of the Subject, and the Determination of the House of Commons. Price 2s. 6d.
- 7 The Speech of a Right Honourable Gentleman, on the motion for expelling Mr. Wilkes, Friday, Feb. 3, 1769. Price 1s.
- 8 The Case of Ireland's being bound by Acts of Parliament, stated. By William Mollineux, of Dublin, Esq; with a new Preface. Price 3s.
- 9 Letters to the Earl of Hillsborough, from Governor Bernard, General Gage, and his Majesty's Council of Massachusetts-Bay. With an Appendix. Price 3s.
- 10 Letters to the Ministry, from Governor Bernard, General Gage, and Commodore Hood : With Memorials to the Lords of the Treasury from the Commissioners of the Customs at Boston ; and all the Papers referred to, annexed. Price 2s. 6d.
- * * The two preceding Articles form a complete View of the Boston Correspondence with the Ministry, from the beginning of the Year 1768, to the end of July, 1769.
- 11 An Appeal to the World ; or a Vindication of the Town of Boston, from many false and malicious Aspersions ; contained in certain Letters and Memorials, written by Governor Bernard, General Gage, Commodore Hood, the Commissioners of the Customs, and others ; and by them respectively transmitted to the Ministry. Printed by Order of the Town of Boston. Price 1s.
- 12 Thoughts on the Landed Interest of France. Price 1s. 6d.
- 13 A correct and complete Edition of the Letters signed Atticus, Lucius, Junius and others. With Observations and Notes. Price 3s. ——— This pamphlet is a very proper Supplement to the following Work,
- 14 A New and Impartial Collection of Interesting Letters from the public Papers ; many of them written by Persons of Eminence, on a great Variety of important Subjects, which have occasionally engaged the public Attention ; from the Accession of his present Majesty, in October, 1760, to May, 1767 ; particularly on Mr. Pitt's Resignation in 1761 ; Lord Bute's Accession in 1762 ; the Peace, and other Measures of his Administration ; Lord Bute's Resignation in 1763 ; all the original Letters, Papers, &c. &c. relative to the North Briton, and every Branch of Mr. Wilkes's Case ; with a careful Selection of all the constitutional Essays, and judicious Observations on the various interesting Points of that celebrated public Cause ; the Whole of which were never before collected together : Several valuable Papers on Trials by Juries ; Parodies on Chevy Chase ; the remarkable Letters on the Change of Administration in 1765, by Anti-Sejanus, the Occasional Writer, J. J. &c. A great Number on the Taxation of the Colonies ; Mr. Pitt's Acceptance of a Peerage in 1766 ; the Measures of his Administration ; Dearth of Provisions ; Letters of Tranquillus ; the supposed Correspondence with

Buckhorfe; and above one hundred others, on a great Variety of important Subjects. In 2 vols. 8vo. 10s bound.

The Merit and Importance which the News-papers have of late Years acquired from the liberal Communications of Gentlemen of the first Rank, both in Politics and Literature, have excited an universal Regret, at seeing the valuable Productions of such Writers doomed indiscriminately to Oblivion with the fugitive Pieces of the Day. It was the Want of a proper Publication, wherein to distinguish the Writings of such Authors, that suggested the Idea of this Collection, the Intention of which is to preserve and transmit to Posterity, such sensible and well-written Papers as appeared during the Years 1760, 1761, 1762, 1763, 1764, 1765, 1766, and 1767, on both Sides of every Question which arose from the Circumstances of the Times, the Necessities of the State, or the Humours of the Age.

*12 A new Baronetage of England; or, a genealogical and historical Account of the present English Baronets, with all their Arms engraved and blazoned. To which is added, a complete List of all the Persons advanced to this Dignity, from the Institution of it to the present Time; with the Dates of their respective Patents. In 3 vols. Price 10s 6d bound.

*13 An Extinct Peerage of England; containing an Account of all those noble Families whose Titles are extinct; from the earliest Accounts to the present Time. In 1 vol. Price 3s 6d bound.

*14 The Pocket Herald; or a complete View of the present Peerage of the Three Kingdoms; giving an accurate Account of their Births, Marriages, and Issue; their several Employments, Titles, Creations and Residences; including all the late Alterations and Additions, to the present Time. Adorned with the Arms, Supporters, Crests, and Mottos, of all the Peers, (together with all the Bishops and Peeresses) of England, Scotland, and Ireland, engraved and blazoned. In two neat Pocket vols. Price 7s bound.

Be careful to ask for the the Pocket Herald; it being not only the cheapest but the most correct Book of the Kind.

* * The above three Books being printed in an uniform Size and Manner, the whole six vols. may be had, neatly bound, Price one Guinea.

15 The New Foundling Hospital for Wit. Consisting of a great Variety of satirical and humorous Pieces. By several eminent Persons. Part the First. Embellished with a curious Frontispiece, 2s 6d

16 The Second Part of the same Work, by the same Hands. Likewise embellished with a curious Frontispiece, 2s 6d

17 The Third Part of the same Work, containing several curious and entertaining original Pieces, by Mr. W. and other Gentlemen. With a fine Frontispiece, 2s 6d—Each Part may be had separate, or the Whole neatly bound in 3 vols. 9s

18 A Companion for a Leisure Hour. Being a Collection of fugitive Pieces in Prose and Verse, in no other Collection; printed in the same Size and Manner as the New Foundling Hospital for Wit, and embellished with a fine Frontispiece, 2s 6d

19 Private Letters from an American in England to his Friends in America, 2s 6d.

20 Memoirs of Corsica. Containing the natural and political History of that important Island; the principal Events, Revolutions, &c. from the remotest Period to the present Time. An Account of its Products, advantageous Situation, and Strength, by Sea and Land. Together with a Variety of interesting Particulars, which have been hitherto unknown. By Frederic, Son of Theodore, late King of Corsica. Illustrated with an accurate Map of Corsica, 3s sewed.

21 The original French of the above Work, 3s sewed.

22 Makarony Fables; with the Fable of the Bees, 2s 6d

23 Lyric Consolations, with a fine Frontispiece. By the same Author, 3s

24 The first Part of the History of England. Containing the Introduction. By John Wilkes, Esq; 2s 6d

25 Three interesting Tracts. By John Wilkes, Esq; viz. Observations on the Spanish

Spanish Papers. A Letter to the Electors of Aylesbury. A Letter to the Duke of Grafton, 2s 6d

26 Every Man his own Brewer; or, a Compendium of the English Brewery. Containing the best Instructions for the Choice of Hops, Malt, and Water, and for the right Management of the Brewing Utensils. Likewise the most approved Methods of brewing London Porter and Ale. Of brewing Amber, Burton, Western and Oat Ales. Of good Table Beer, and Marlborough, Dorchester, Nottingham and Bristol Beers, and of manufacturing pure Malt Wines. Of Fermentation; casual Distemperature in Brewing, with the Cause and Remedy. The Theory of British Fruits, as applied to the Improvement of Malt Liquors. Of the Thermometer, its use and Application in Brewery. Of Fire, and its Action on Malt and vinous Extract. Together with a Variety of Maxims and Observations deduced from Theory and Practice. And some useful Hints to the Distillery, for extracting a fine Spirit from Malt, and other Ingredients. The whole illustrated by several Experiments. By a Gentleman lately retired from the Brewing Business, 3s bound.

27 A Collection of the Lords Protests, from the first upon Record, in the Reign of Henry III. to the present Time, 2 vols. 8vo. 12s bound.

Although it is presumed that no Address to the Public will be necessary to recommend this Work, because it sufficiently speaks for itself, yet it may be requisite, for the Reader's Satisfaction, to shew in what Respects it differs from those which have gone before it. The first Collection of Protests was published in 1735; the second in 1743, and the third in 1747; all of them beginning with the Year 1641, and ending with the Dates of their respective Publications. The Collection which is here offered to the Public, ascends to the first upon Record in the Year 1242, and is continued to the End of June 1767, thereby including several not made public before. Those of the last twenty years will, in all probability, be esteemed the most interesting, as the Subjects which gave occasion to them are allowed to be of the utmost Importance. This Work is accompanied with an accurate and copious Index, which the other Collections want. And to the Whole is subjoined, the scarce and valuable Tract of St. Amand, on the Legislative Power of England: Wherein the Origin of both Houses of Parliament, their ancient Constitution, and the Changes that happened in the Persons that composed them, with the Occasion thereof, are related in chronological Order; and many things concerning the English Government, the Antiquity of the Laws of England, and the Feudal Law, are occasionally illustrated and explained.

28 The Royal French and English Dictionary, by A. Boyer, 4to. 18s

29 An Abridgment of the same, 8vo. 7s

30 Mr. Hoyle's Games of Whist, Quadrille, Piquet, Chess, and Back-Gammon complete, 3s

31 History and Adventures of Don Quixote. Translated by Dr. Smollett, and ornamented with fine Cuts from Hayman's Designs, 4 vols. 12s

32 Johnson's English Dictionary, 2 vols. 8vo. 10s

33 The Art of Cookery made plain and easy. By Mrs. Glasse, 5s

34 The Political Register, 2 vols. 16s half bound and lettered. This Work consists of original Essays and interesting Papers, many of them written and communicated by Persons of Eminence, and is embellished with several satirical Prints.

35 A new Edition of Collins's English Peerage, continued to the present time, and enriched with many valuable Additions, 7 vols. 8vo. 2l 12s 6d bound.

36 The Peerage of Scotland; a genealogical and historical Account of all the Peers of that ancient Kingdom; the Descents, collateral Branches, Births, Marriages, and Issue. Together with a like Account of all the attainted Peers; and a compleat alphabetical List of all those Nobles of Scotland whose Titles are extinct; which was never before printed. Collected from Parliament Rolls, Family Documents, and personal Information of many noble Peers. With the paternal Coat of

of Arms, Crests, Supporters, and Mottos, most beautifully and accurately engraved, 1 vol. 8vo. 6s bound.

37 The Peerage of the Kingdom of Ireland, upon the same Plan with that of Scotland, and the Arms executed in the the same masterly Manner, 2 vols 8vo. 12s bound.

††† The Authors profess to have given in these three Volumes, the clearest, most authentic, and the best digested Account of the noble Families of Scotland and Ireland, hitherto published; and, by omitting unnecessary Digressions, and ostentatious Quotations from Histories and biographical Memoirs, which only serve to increase the Price, have exhibited their Genealogies clear and explicit, so that every collateral Branch is seen with great Facility and Exactness, and few even of the Gentry of Scotland and Ireland, who have intermarried with the Nobility of those Kingdoms, but may here discover by what Degree of Consanguinity they are allied.

38 Debates in the House of Commons of Ireland, during the Years 1763 and 1764, taken by a military Officer. To which is added, An Enquiry how far the Restrictions laid upon the Trade of Ireland, by British Acts of Parliament, are a Benefit to the British Dominions in general, and to the English in particular, for whose separate Advantage they were intended. Dedicated, by Permission, to the Earl of Chatham.

††† As Ireland is become of late Years much more an Object of public Attention than formerly, the Parliamentary Debates in that Kingdom must become proportionably more interesting and important. In the Debates of the above Period, are many Particulars which distinguish them from those of all preceding Years; and many Questions are discussed, which must be the Subject of Debate in all times to come.——Among those now offered to the Public are the following: On the Peace. On Pensions, in which both the Legality and Policy of those Grants are fully considered. On inland Navigation. The Limitation of Parliaments. The Place-Bill. The State of the Nation. Libels, and the North Briton. Jobs and their Tendency. Power of Grand Juries. Faction. A Tax on Dogs. Privilege of Parliament. False Patriotism mistaken for Liberty. Licentiousness. Recovery of Tythes. Power of Magistrates; and on a great Variety of other Subjects equally curious and important. It may not be improper to mention, that these are the first Speeches of the Irish Parliament which have ever been published. The Enquiry became necessary by the frequent Mention of the Restrictions on Trade in the Debates: it is not however confined to the Trade of Ireland as it shews the Rise of Trade in general, what is its Use when it attains Perfection and when it degenerates into Excess. 2 vols 8vo. 12s bound.

39 Debates and Proceedings of the British House of Commons, during the third, fourth, and fifth Sessions of the third Parliament of his late Majesty, held in the Years 1743, 1744, 1745, and 1746, 2 vols 8vo. 10s 6d boards, and 12s bound.

40 The Speeches, Arguments, and Determinations of the Right Honourable the Lords of Council and Session in Scotland, upon that important Cause, wherein his Grace the Duke of Hamilton and others were Plaintiffs, and Archibald Douglas, of Douglas, Esq; Defendant; together with an introductory Preface, giving an impartial and distinct Account of this famous Suit. By a Barrister at Law, 5s bound, 4s sewed.

41 The complete Grazer; or Gentleman and Farmer's Directory; containing the best Instructions for buying, breeding, and feeding of Cattle, Sheep, and Hogs and for suckling Lambs. A Description of the particular Symptoms commonly attending the various Distempers to which Cattle, Sheep and Hogs are subject with the most approved Remedies. Directions for making the best Butter, several Sorts of Cheese and Rennet; different Methods of stocking a Grass Farm, with the particular Expence and Profits of each; how to prepare the Land, and several Sorts of Grasses to advantage: Directions for raising proper Fodder for Cattle and Sheep; particular Instructions for ordering, breeding and feeding Poultry and Turkey.

Turkeys, Pigeons, Geese, Ducks, Bustards, Pea-Fowls, Pheasants, Partridges, and tame Rabbits ; also Directions for making Fish-ponds, or Canals, and for storing them, and ordering Fish in the best Manner ; with several other useful and curious Particulars, 3s bound.

42 The Royal Kalender for England, Scotland, and Ireland, for the Year 1770 ; containing accurate Lists of the complete Establishments of Great-Britain and Ireland, the four Houses of Parliament, all the Officers of State, Revenue, Law, &c. in the three Kingdoms, Army, Navy, &c. all with the last Corrections. 2s bound, and 2s 9d with an Almanack.

43 A new Edition, carefully corrected throughout, of the Military Register ; or new and complete Lists of all his Majesty's Land Forces and Marines, for the Year 1770. With accurate and useful Tables of their full Pay, Allowances and Deductions. Also Tables of the Arrears, calculated to shew, in the most easy and expeditious Manner, the Amount of Arrears for Officers of all Ranks in the Dragoons and Foot, for any Number of Days. These Tables will be found to be particularly useful to every Officer, who will thereby be enabled to form an exact Knowledge of the Accounts between him and his Agent. This Work contains an alphabetical List of the Officers Names, with References to their respective Commissions. A List of the military Garrisons, with the Officers, and an alphabetical List of all the Officers on Half-pay. Printed and published by Permission of his Majesty, 2s 6d bound, and 2s sewed.

44 The History of the Minority, during the Years 1762, 1763, 1764, and 1765. Exhibiting the Conduct, Principles and Views of that Part. A new Edition, being the fourth, with several Additions, 5s bound, or 4s sewed.

* * The very extraordinary, and almost singular Success which this Book has met with, is the strongest and best Testimony of its Merit. It has moreover been translated in Holland, France, and other foreign Nations, in which, as well as in England, it is much read.

45 Mr. Philipps's History of the Life of Cardinal Pole. A new Edition, 2 vols 8vo. 10s bound.

46 Historical Memoirs of his late Royal Highness William Duke of Cumberland, inscribed to the Earl of Albemarle, 1 vol. 8vo 6s bound.

47 Traveller's Pocket-Book : or Ogilby and Morgan's Book of the Roads improved ; with many additional cross Roads, 1s 6d bound.

48 The Trade and Navigation of Great-Britain considered, by Joshua Gee. To which are now added, several interesting Notes, and an Appendix concerning the Trade with Portugal. The Whole carefully revised by a Merchant, 3s bound.

49 The London Merchant, a Tale, translated from the French of Madame Gomez, 1s

50 Remarks on the History of the Island of Barbadoes, 1s 6d

51 The Foreigner's Guide, in French and English ; being a very proper Companion for every Stranger on his coming to London ; containing a Description of every Thing in that City, and its Neighbourhood, worthy his Observation, 2s 6d bound.

52 The Double Mistake, a Comedy, as it is acted at the Theatre Royal in Covent-Garden, 1s 6d

53 The Dramatic Time-Piece. Being an exact Calculation of the Length of the Time each Act (in all the acting Plays) takes in performing at the Theatres-Royal in Drury-Lane, Covent-Garden, and the Hay-Market. By J. Brownsmith Prompter, 1s

A List of Pamphlets lately published in England and America, on the Subject of taxing, the British Colonies, and regulating their Trade.

54 * * The most material of these Pamphlets may be had half bound and lettered in 4 vols 8vo. 1l 4s

55 The

55 The Controversy between Great-Britain and her Colonies reviewed ; the several Pleas of the Colonies in support of their Rights to all the Liberties and Privileges of British Subjects, and to Exemption from the legislative Authority of Parliament, stated and considered ; and the Nature of their connexion with, and dependance on Great-Britain, shewn from the Evidence of historical Facts and authentic Records, 4s

56 A Defence of the Colony Charters, by Jer. Drummer, 1s 6d

57 The Right of the Colonies asserted, by Mr Otis. of Boston, 2s

58 Considerations on the Propriety of taxing the Colonies, by Mr. Delany, of Maryland, 1s 6d

59 An Enquiry into the Rights of the British Colonies, by Richard Bland, Esq; of Virginia, 6d

60 A Vindication of the British Colonies, by James Otis, Esq; of Boston, 1s

61 The True Sentiments of America ; contained in a Collection of Letters sent from the House of Representatives of the Province of Massachusetts Bay, to several Persons of high Rank in this Kingdom ; together with certain Papers relating to a supposed Libel on the Governor of that Province ; and a Dissertation on the Canon and the Feudal Law, 2s 6d

62 Letters from a Farmer in Pennsylvania, to the Inhabitants of the British Colonies, by John Dickenson, Esq; of Philadelphia, 2s

63 The Conduct of the late Administration examined, relative to the late American Stamp-Act ; containing a great Number of original Papers, extremely interesting to the Public ; particularly the Letters of Mr Conway to the Governors in America ; the Answers ; Representations of the Board of Trade to the King, &c. &c. A new Edition, 3s

64 The Regulations respecting the Colonies considered, by Mr Dickenson, of Philadelphia, 1s 6d

65 An Account of a Conference on the Subject of Representation, 1s

66 Late Occurrences in America, and Policy of Great-Britain considered, 1s

67 The Grievances of the American Colonies examined, 1s

68 Rights of Parliament vindicated, 1s

69 An Application of certain political Rules to the present State of Great-Britain, Ireland and America, 1s 6d

70 A short History of the Conduct of the Ministry, with regard to the American Stamp-Act, 6d

71 Two Protests against the Repeal of the American Stamp Act ; with Lists of the Minority in both Houses, 1s

72 Considerations on behalf of the Colonies, 1s

73 Justice and Necessity of taxing the Colonies, 1s

74 The Privileges of the Island of Jamaica vindicated. With an impartial Narrative of the Dispute between the House of the Representatives and a late Governor of that Island, 2s 6d

75 Two Papers on the Subject of taxing the Colonies. Written in 1739, by Sir W. Keith, Mr Joshua Gee, &c. Price 6d

76 The Examination of Dr. Franklin, on the Subject of repealing the American Stamp-Act, &c. 1s

77 Authentic Account of the Proceedings of the Congress held at New York, 1s

POLITICAL PAMPHLETS, &c.

78 * * The most material of these Tracts may be had half bound and lettered, in 5 vols 8vo. 1l 1s Published in the Year 1769.

79 The Muggrave Controversy ; being a Collection of curious and interesting Papers, on the Subject of the late Peace, 1s

80 The present State of the Nation, particularly with respect to its trade, finances, &c. a new Edition, 2s

- 81 An Appendix to the same, 1s
- 82 Considerations on the Dependencies of Great-Britain, with Observations on the State of the Nation, 2s
- 83 An Ode to Mr Grenville on the present Period of Time, 6d
- 84 The Freeholders Catechism, 6d
- 85 Considerations on the Times, 1s
- 86 A Sermon by the Rev. John Horne, Minister of New Brentford, 1s.
- 87 A Description of a Parliament in no Instance similar to the present, 1s

Published in the Year 1768.

- 88 A Letter to the Duke of Grafton, on the Situation of public Affairs, 1s
- 89 A Letter to the Man who thinks himself Minister, 1s
- 90 A Caveat on the part of public Credit, 1s
- 91 Reflections on the Case of Mr Wilkes, and on the Right of the People to chuse their own Representatives, 1s
- 92 The Case of his Grace the Duke of Portland, respecting two Leases lately granted by the Lords of the Treasury to Sir James Lowther, Bart. with Observations on the Motion for a Remedial Bill, for quieting the Possessions of the Subject; and an Appendix, consisting of authentic Documents, 1s
- 93 Observations on the Power of Alienation in the Crown before the first of Queen Anne, supported by Precedents, and the Opinion of many learned Judges: together with some Remarks on the Conduct of Administration respecting the Case of the Duke of Portland, 1s
- 94 A Speech against the suspending and dispensing Prerogative. The sixth Edition corrected, 1s 6d
- 95 A List of all the Changes made in the Administration of Government since his present Majesty's Accession, 1s
- 96 Dr. Williamson's Narrative of the extraordinary Case of a late Commoner, 6d
- 97 Letter to the Earl of Bute upon his Union with the Earl of Chatham, 6d
- 98 A Letter to a Minister on the Subject of the East-India Dividend, 6d
- 99 Protest against the Bill for rescinding the East-India Dividend, 6d
- 100 East-India Observer Extraordinary, by J. Z. Holwell, Esq; 2d half penny.
- 101 A Letter from Mr Wilkes to the Duke of Grafton, 8th Edition, 1s
- 102 An Ode to the Earl of Ch——m, 6d
- 103 The Honest Elector's Proposal for rendering the Votes of all British Constituents free and independent, 1s

In 1766.

- 104 A free Appeal to the People on the Conduct of the present Administration, 1s
- 105 Considerations on the Dearness of Corn and Provisions, 1s 6d
- 106 Observations on the Farmer's three Letters, 6d
- 107 Political Speculations on the high Price of Labour and Dearness of Provisions. In two Parts, 2s. Either Part may be had separate, 1s
- 108 Enquiry into the Conduct of a late Right Hon Commoner, 5th Edit. 1s 6d
- 109 An Examination of the Principles and Disinterestedness of the same Gentleman, 1s
- 110 The E——l of Ch——m's Apology; a Poem, 1s
- 111 Short Considerations upon some extraordinary Grants, 6d
- 112 A true History of a late short Administration, 6d
- 113 A new Edition of the Letter upon Libels, Warrants, Seizure of Papers, &c. with the Postscript and an Appendix, 2s 6d
- 114 The Security of Englishmens Lives; or the Duty, Trust and Power of the Juries of England, by Lord Somers, 1s. 6d.
- 115 An Address to the People, shewing the Advantages arising from the frequent Change of Ministers, 1s 6d

116 A Parallel between the four last Years of Queen Anne, and the four first of George III. 1s

117 The Scourge, a Poem, 1s 6d

118 The Precipice, a Satirical Print, 1s

In 1765.

119 The Principles of the Changes in 1765, impartially examined, and the Reasons of some Great Men for refusing, and others accepting the Offers of the Court at that time, explained. 4th Edition, 1s 6d

120 The State of the Nation, with regard to its Income, Expenditure, and unfunded Debt, 5th Edition, 1s

121 Thoughts on the Dismission of Officers for their Conduct in Parliament, 1s

122 A Letter from Candor to the Public Advertiser, on the Subjects of General Warrants, and some Proceedings in the Courts of Justice, 1s

123 A Collection of remarkable Passages from the Briton, North-Briton, and Auditor, 1s

In 1764.

124 A Letter from Albermarle-street, to the Cocoa-tree, 2s

125 The Budget, eleventh Edition, 1s

126 Account of the late Mr Legge; with the Letters which passed between him and Mr Martin, relative to the Hampshire Election, and his Dismission, 1s

127 The Contest, a Poem, 1s

128 A Defence of the Minority in the House of Commons, on the Question relating to general Warrants, 1s

129 Reply to the Defence of the Majority, on the same Question, 1s

130 The Right of Appeal to Juries in Causes of Excise, asserted, 1s

131 Counter Address to the Public on the Dismission of General Conway, 1s

132 The remarkable Trials of J. P. Zenger of New-York, and W. Owen, of London, for the Publication of Libels, 1s

133 Fragments and Anecdotes, 1s

134 An Appendix to the Review of Mr Pitt's Administration, 1s

135 A Letter to the Right Honourable George Grenville, 1s 6d

136 A Sentimental Dialogue, 1s

137 Medical Advice to the Consumptive People of England, by P. Stern, 1s

138 There are a few Copies left of the 4th vol. of the small Edition of the Collection of Letters from the Public Papers (during the Years 1762, 1763, 1764, and part of 1765) a duodecimo volume, which the Purchasers of the other 3 vols in that Size, may have to compleat their Sets, 2s 6d bound

J. ALMON has always a choice Collection of the most valuable modern Books, large and small Editions, many of which are in elegant Bindings. Likewise all new Publications as soon as they appear; and a Collection of the most esteemed Plays. The best of all Kinds of Stationary, such as the thick Dutch Post Paper, gilt and plain; best Dutch Wax, good Pens, best Ink, &c. &c. Noblemen and Gentlemen may always have any Quantity on the shortest Notice; and any Book that happens not to be in the Shop, will, if in print, always be got, when desired.

